

## Semester-V

### LL. B – THREE YEAR COURSE

#### BHARATIYA NAGARIK SURAKSHA SANHITA - I

<b>Paper :</b>	<b>I - Compulsory</b>	<b>Course Code :</b>	<b>01</b>
<b>LL.B. Third Year :</b>	<b>5<sup>th</sup> Semester</b>	<b>No. of Contact Hours :</b>	<b>06 per week (4+2) and Total: 64 hours</b>
<b>Course Credit :</b>	<b>04</b>	<b>Minimum Teaching Days :</b>	<b>13 weeks (90 working days)</b>
<b>Duration of Class :</b>	<b>60 Minutes</b>	<b>Teacher In-charge :</b>	<b>Prof. (Dr.) Geeta Joshi</b>

**Objectives of the Course are to render knowledge to the students:**

- Regarding procedural aspect of working of criminal courts and other functionaries.
- Regarding the administration of substantive Criminal laws in India.
- About the historical aspects of criminal law legislation and enactment of The BharatiyaNagarikSurakshaSanhita.
- About jurisdictional aspects of criminal courts.
- Regarding the procedure to be followed in every investigation, inquiry for every offence under IPC or any other law.
- Regarding the principle of natural justice and to discuss the provisions relating to the rights of accused.

**Course Learning Outcomes are students shall learn, understand and analyze:**

- The legal provisions pertaining to criminal jurisprudence including the court decisions.
- The concepts of investigation procedure, it's loopholes and functioning of the courts.
- The Criminal Procedure by understanding the basic concepts and its whole framework.

- And able to distinguish between Procedural Code of Criminal Laws and other Substantive Laws.
- And able to critically analyze the overall criminal prosecution procedure in India.

**Scheme of Examination** – A total of 100 (80+20) marks are allotted to this Paper.

There

will be a theory examination of 80 marks and 20 marks are assigned for internal assessment.

**Time for Theory Examination:** Three Hours

**Theory Examination-** 80 marks

For the theory examination, the whole syllabus is divided into four units and every unit is further divided into modules. The question paper will be divided into 5 units. Question No.1 of Unit I shall be compulsory covering all the four units of the syllabus and shall consist of four parts. This compulsory question shall be of 20 marks. There will be two questions in each unit i.e., Unit III, Unit IV, and Unit V and the candidates will be required to attempt one question from each unit. Each question of these units shall be of 15 marks. The medium of the examination shall be English only. The paper setters are instructed to set the questions strictly according to the syllabus and keeping in view the course objectives and course outcomes.

**Internal Assessment** – 20 marks (Written Assignment and Oral Presentation)

Internal assessment shall be based on written assignment and oral presentation on the *two activities* as conducted and coordinated by the subject teacher as part of Clinical Legal Education and Pro Bono Work/Programmes. The subject teacher either individually, or two or more subject teachers, jointly, may conduct and coordinate a collaborative activity for all the students. JRF's and Ph.D. scholars

can be involved for conducting the activity. Each activity shall carry 10 marks which shall be further distributed as 5 marks for written assignment and 5 marks for oral presentation.

**Guidelines for Written Assignment:** Students shall submit either hard copy or soft copy of the written assignment (either handwritten or typed) on A-4 size sheets to the respective subject teacher.

**Guidelines for Oral Submission:** Students shall deliver an oral presentation based on written assignments duly submitted to the respective teacher.

Units	Modules
I	<ul style="list-style-type: none"> <li>• Rationale of the BharatiyaNagarikSurakshaSanhita and importance of fair trial; Effect of delay in criminal trial (justice delayed is justice denied, Justice hurried is justice buried).</li> <li>• Functionaries under the Criminal Justice Administration and their Role (Role of Courts, Police, Public Prosecutors, Corrective Service Personal, Defense Lawyer).Appointment and Qualification etc. of Public Prosecutors and Assistant Public Prosecutors (Sections 18-19); Directorate of Prosecution (Section 20).</li> <li>• DefinitionsunderSection2anddistinguishbetween:Cognizable and non cognizable offence; Summon Cases and warrant cases; Bailable warrant and non bailablewarrant;Inquiryandinvestigation;Appearance and attendance; Complaint, FIR and Protest petition; Compoundable and non-compoundable offences; Acquittal, DischargeandDismissal;Concurrentand ConsecutiveP unishments;Judicialremand and Police remand; Summary trial and Summons Trial; Judgment and Judgment in abridged form; Compensation and Costs; Inquiry, Inquest and Trial; <i>Denovo</i>trial or Retrial; Conviction and Sentence; Acquittal based on benefit of doubt and</li> </ul>

	<p>Honorable Acquittal; Probation and Parole; Burden of proof in crime and who will lead evidence.</p> <ul style="list-style-type: none"> <li>• Classification, hierarchy and organization of criminal courts. (Sections 6-17); Powers of Courts (Sections 21-29).</li> </ul>
<p><b>II</b></p>	<ul style="list-style-type: none"> <li>• Aid to Magistrates and Police (Sections 31-34) and Consequences of non-furnishing of information.</li> <li>• Arrest (Sections 35-62); Special provisions of arrest related to woman, judicial officers, President of India and Governors; Rights of arrested persons.</li> </ul> <p><b>Processes to compel appearance</b></p> <ul style="list-style-type: none"> <li>• Summons (Sections 63-71)</li> <li>• Warrants (Sections 72-83), Kind of warrants, Cancellation of warrants.</li> <li>• Proclamation and Attachment (84-89), Miscellaneous Provisions (Sections 90-93)</li> <li>• Process to compel production of things (Sections 94-110 &amp; 185)</li> </ul>
<p><b>III</b></p>	<ul style="list-style-type: none"> <li>• <b>Maintenance (Sections 144 - 147) –</b> Essential conditions of Maintenance, Nature of proceedings and limitation for recovery of maintenance, Mode of Enforcement of Right to Maintenance, Maintenance to Parents, Maintenance to Muslim Wives, Maintenance to Children, Procedure (Section 145), Alteration in Allowances (Section 146), Enforcement of Order of Maintenance (Section 147), Live-in Relationship and Right to Maintenance.</li> <li>• <b>Initiation of criminal case (FIR, Investigation) (Sections 173 - 196) –</b> Who can lodge, validity of confessional FIR, Evidentiary value of FIR, delay in lodging FIR, Procedure when police refuses to lodge FIR, Liability of a person filing a false FIR, Quashing of FIR, Remedy when police refuses to investigate or delays investigation.</li> </ul>

	<ul style="list-style-type: none"> <li>• Jurisdiction of Criminal Courts (Sections 197-209); Consequences of failure to follow rules regarding jurisdiction.</li> <li>• Security for keeping peace and for good behavior (Sections 125-129)</li> <li>• Maintenance of Public order and tranquility (Sections 148-156)</li> </ul>
IV	<ul style="list-style-type: none"> <li>• <b>Conditions Requisite for Initiation of Proceedings (Sections 210– 222)</b> - Cognizance of offence, Cognizance by Magistrate not empowered, Limitation on the power to take cognizance, Can the Magistrate take cognizance when offence as such is made in the Investigation Report, Can cognizance be taken against a person not accused?, Can Magistrate direct the police to submit charge sheet?</li> <li>• <b>Complaint to Magistrates (Section 223- 226) –</b> Meaning, Essentials of complaint, Dismissal of complaint, Remedy in case of false and frivolous complaints, when action can be taken in a false complaint? Intermediary action in case of false complaints</li> <li>• Commencement of Proceedings before Magistrates (Sections 227–233)</li> <li>• <b>Plea Bargaining (Sections 289 – 300) –</b> Concept, Procedure, Application, Merits and Demerits, Indian Judiciary and its approach towards Plea Bargaining, Difference between plea bargaining and compounding of offences.</li> </ul>

### Prescribed Books

- Bare Act, The Bharatiya Nagarik Suraksha Sanhita, 2023.
- Mulla–Commentary on the Code of Criminal Procedure (2015)
- K.N Chandrasekharan Pillai, (ed)–Kelkar’s Criminal Procedure
- Rattan Lal & Dhiraj Lal–Criminal Procedure Code
- Benny Paul–Simplified Approach to Criminal Procedure Code

**Suggested Case Laws:** - Case Study to be included by the teacher in his lecture in theory classes, tutorials, project and presentation etc.

- Arnesh Kumar v. State of Bihar, (2014) 8 SCC 273. 14.
- Ajay Kumar Parmar v. State of Rajasthan, (2012) 15.
- A.P.Civil Liberties Committee v. State of A.P., 2009 SCC online AP 50.
- Asif Iqbal Tanhav. State (NCT of Delhi) 2021 SCC online Del 3253 (2021)
- B.S.Joshi v. State of Haryana & Anr. 2003 (4) SCC 675 19.
- D.K. Basu v. State of West Bengal, (1997) 6 SCC 642.
- Devangana Kalita v. State (NCT of Delhi) 2021 SCC online Del 3255
- Gurcharan Singh v. State (Delhi Admn.) (1978) 1 SCC 118
- Hardeep Singh v. State of Punjab, (2014) 3 SCC 92
- Lalita Kumari v. State of Uttar Pradesh, AIR 2012 SC 1515
- Mohammed Hussain v. State (Govt. of NCT Delhi), 2012 9 SCC 408.
- Mohd. Ajmal Amir Kasab v. State of Maharashtra (2012) 9 SCC 1
- Mehmood Nayar Azam v. State of Chhattisgarh (2012) 8 SCC 1 (2012) 9 SCC 1
- Mrs. Neelam Katar v. UOI, ILR (2003) II Del 377.
- Madhu Balav. Suresh Kumar, (1997) 8 SCC 476
- Moti Ram v. State of MP (1978) 4 SCC 97.
- Mohan Singh v. State of Bihar, (2011) 9 SCC 272.
- Manubhai Ratilal Patel v. State of Gujarat, (2013) 1 SCC 314
- Nilabati Behera v. State of Orissa, (1993) 2 SCC 746
- Natasha Narwal v. State (NCT of Delhi) Crl. Application No.82 of 2021 (High Court of Delhi)
- Youth Bar Association of India v. UOI and others, Writ Petition (RL) No. 68 of 2016.
- People' Union for Civil Liberties v. State of Maharashtra, (2014) 10 SCC 635.
- State v. Disha A Ravi, Bail Application, No.420 of 2021, order dated 23.2.2021 (ASJ: New Delhi).

- State of Orissa v. Sharat Chandra Sahu, (1996) 6 SCC 435.
- SakiriVasuv. State of Uttar Pradesh (2008) 2 SCC 409
- State of Haryana v. Dinesh Kumar (2008) 3 SCC 222.
- State v. Captain Jagjit Singh, (1962) 3 SCR 622
- Sanjay Chandra v. CBI, (2012) 1 SCC 40
- ShriGurbaksh Singh Siberia v. State of Punjab, (1980) 2 SCC 565
- State (Delhi Administration) v. Sanjay Gandhi, (1978) 2 SCC 411.
- Sandeep Kumar v. State of Bihar (2011) 9 SCC 272.
- S.Nambi Narayanan v. Siby Mathews (2018) 10 SCC 804
- Shiv Kumar Vermav. State of UP, 2021 SCC online (2021) 116 ACC 202
- State of U.P. v. Ram SagarYadav, (1985) 1 SCC 552
- Rudal Shah v. State of Bihar, (1983) 4 SCC 141

**Note:** - The list of cases is not exhaustive and the subject teacher is free to include more case laws. Given case laws are meant to be used for tutorial class, project presentation and discussion in theory classes.

#### **Additional Readings:**

- Bare Act, Code of Criminal Procedure, 1973.
- Law Commission Reports

#### **Teaching Plan**

Four lectures in a week shall be devoted to theory and one tutorial class will be given for preparing projects, pro-bono activities, clinical legal education, presentations, case studies etc. Mentorship class shall be held perweek for students.

#### **Teaching Methodology**

Classroom teaching – Lecture Method and Discussion. Presentations and submissionsof written assignmentson Clinical Legal Education and Pro Bono

Work/Programmes shall be taken in the tutorial class. Students shall get an opportunity to interact with real clients facing real needs through clinical legal education and pro bono work/programmes. Students shall discuss and share experiences gained through Clinical Legal Education and Pro Bono Work/Programmes with class which will help them in the enhancement of their legal understanding and application.

### **Facilitating the achievements of Course Learning Outcome**

Through the classroom teaching, lecture, and discussion methods students shall be facilitated to learn the basic concepts of Criminal Procedure. Apart from which two activities shall be conducted and coordinated by the subject teacher under clinical legal education and pro bono work/programmes. Each student shall participate in the activity and shall make a presentation on the said activity in the tutorial class. Department shall also organize various activities including workshops, special lectures, conferences, mooted activities, debates, declamations, symposiums, etc. The students shall learn by participating, organizing, and competing in these activities and students' participation in any form in any of the activities shall be encouraged, evaluated, and awarded. Students shall be provided with a platform to observe real life needs and challenges by participating in workshops, pro-bono programmes, activities under clinical legal education to be carried out in the Campus Area/Colleges and adjoining areas and villages.



**LL. B – THREE YEAR COURSE**  
**CIVIL PROCEDURE CODE I INCLUDING REGISTRATION ACT**

<b>Paper :</b>	<b>II- Compulsory</b>	<b>Course Code :</b>	<b>02</b>
<b>LL.B. Third Year :</b>	<b>5<sup>th</sup> Semester</b>	<b>No. of Contact Hours :</b>	<b>06 per week (4+2) and Total: 64 hours</b>
<b>Course Credit :</b>	<b>04</b>	<b>Minimum Teaching Days :</b>	<b>13 weeks (90 working days)</b>
<b>Duration of Class :</b>	<b>60 Minutes</b>	<b>Teacher In-charge :</b>	<b>Prof. (Dr.) Devinder Singh</b>

**Objectives of the Course are to familiarize and discuss with students basic principles relating to:**

- Jurisdictional aspects of the Civil Courts.
- Necessary and Proper parties to suits and their appearance in the Court
- Pleadings and Institution of Civil Suits
- Registration of documents and effects of non-registration.

**Course learning outcomes are students shall learn and understand the:**

- Procedure of institution of civil suits;
- Concepts relating to jurisdiction of Civil Courts;
- Necessary and proper parties to the suit;
- Consequences of misjoinder and non-joinder of parties;
- Consequences of non-appearance;
- Remedies against a decree or order;
- Documents which require/do not require compulsory registration

**Scheme of Examination-** A total of 100 (80+20) marks are allotted to this Paper. There will be a theory examination of 80 marks and 20 marks are assigned for internal assessment.

**Time for Theory Examination:** Three Hours

**Theory Examination-** 80 marks

For the theory examination, the whole syllabus is divided into four units and every unit is further divided into modules. The question paper will be divided into 5 units. Question No.1 of Unit I shall be compulsory covering all the four units of the syllabus and shall consist of four parts. This compulsory question shall be of 20 marks. There will be two questions in each unit i.e., Unit III, Unit IV, and Unit V and the candidates will be required to attempt one question from each unit. Each question of these units shall be of 15 marks. The medium of the examination shall be English only. The paper setters are instructed to set the questions strictly according to the syllabus and keeping in view the course objectives and course outcomes.

**Internal Assessment – 20 marks (Written Assignment and Oral Presentation)**

Internal assessment shall be based on written assignment and oral presentation on the *two activities* as conducted and coordinated by the subject teacher as part of Clinical Legal Education and Pro Bono Work/Programmes. The subject teacher either individually, or two or more subject teachers, jointly, may conduct and coordinate a collaborative activity for all the students. JRF's and Ph.D. scholars can be involved for conducting the activity. Each activity shall carry 10 marks which shall be further distributed as 5 marks for written assignment and 5 marks for oral presentation.

***Guidelines for Written Assignment:*** Students shall submit either hard copy or soft copy of the written assignment (either handwritten or typed) on A-4 size sheets to the respective subject teacher.

***Guidelines for Oral Submission:*** Students shall deliver an oral presentation based on written assignments duly submitted to the respective teacher.

Units	Modules
I	<ul style="list-style-type: none"> <li>• Nature, Scope and Significance of Civil Procedure</li> <li>• Definitions (Section 2):- Decree, Judgment, Order, Foreign Court, Judge, Legal Representative, Mesne Profits, Judgment -debtor, Decree-holder, Difference between Decree and Order</li> </ul>

	<ul style="list-style-type: none"> <li>• Suits – Meaning, Essentials, Parties to suit (Order I), Framing of Suit (Sections 10 &amp; 11 and Order II)</li> <li>• Principles of Res Sub-judice and Res Judicata, Constructive Res judicata; Res judicata and Estoppel (Sections 10 and 11)</li> <li>• General rules of Pleading, Amendment of Pleadings (Order VI)</li> <li>• Complaint, Return of complaint, Rejection of complaint- Order VII</li> <li>• Written Statement, Set off and Counter Claim- Order VIII</li> <li>• Jurisdiction: Meaning, Lack of jurisdiction, Irregular exercise of jurisdiction, Courts to try all suits of civil nature unless barred (Section 9)</li> <li>• Place of Suing and Transfer of suits (Sections 15 – 25)</li> <li>• Foreign Judgment: Meaning, Conclusiveness, Enforcement and Execution (Sections 13 and 14)</li> </ul>
<b>II</b>	<ul style="list-style-type: none"> <li>• Summons to defendants (Sections 27 – 30, Order V)</li> <li>• Summons to witnesses (Sections 31-32, Order XVI)</li> <li>• Appearance of Parties and Consequences of Non-Appearance, Dismissal of suit for default, Ex parte proceedings, Setting aside ex parte decree(Order IX)</li> <li>• Examination of Parties by the Court (Order X)</li> <li>• Discovery and Inspection(Order XI)</li> <li>• Admissions (Order XII)</li> <li>• Production, Impounding and Return of Documents (Order XIII)</li> <li>• Settlement of Issues (Orders XIV &amp; XV)</li> <li>• Adjournment (Order XVII)</li> <li>• Hearing of Suit and Affidavits (Orders XVIII &amp; XIX)</li> <li>• Caveat (Section 148 A)</li> <li>• Inherent Powers of Court (Sections 148 to 153)</li> </ul>
<b>III</b>	<ul style="list-style-type: none"> <li>• Commissions (Sections 75-78, Order XXVI)</li> </ul>

	<ul style="list-style-type: none"> <li>• Arrest and Attachment before judgment (Order XXXVIII)</li> <li>• Temporary Injunctions (Order XXXIX)</li> <li>• Appointment of receivers (Order XL)</li> <li>• Effect of Death, Marriage and Insolvency of parties- Order XXII</li> <li>• Withdrawal and Adjustment of Suits (Order XXIII)</li> <li>• Costs (Sections 35-35B); Security for Costs (Order XXV)</li> <li>• Suits by or against Government (Sections 79-82, Order XXVII)</li> <li>• Suits by or against minors/persons of unsound mind (Order XXXII)</li> <li>• Suits by Indigent persons (Order XXXIII)</li> <li>• Interpleader Suits (Order XXXV)</li> <li>• Special Case (Section 90, Order XXXVI)</li> <li>• Suits relating to Public Nuisance and Public Charities (Sections 91 – 93)</li> <li>• Summary Procedure- Order XXXVII</li> </ul>
<p style="text-align: center;"><b>IV The Registration Act, 1908</b></p>	<ul style="list-style-type: none"> <li>• Definitions – Section 2</li> <li>• Registration Establishment- Sections 3-16A</li> <li>• Registrable Documents- Sections 17-22</li> <li>• Time of Presentation- Sections 23-27</li> <li>• Place of Registration- Sections 28-31</li> <li>• Presenting Documents for Registration- Sections 32-35</li> <li>• Enforcing Appearance of Executants and Witnesses – Sections 36-39</li> <li>• Provisions related to Wills – Sections 40-46</li> <li>• Effects of Registration and Non-Registration – Sections 47-50</li> <li>• Duties and Powers of Registering officers- Sections 51-70</li> <li>• Refusal to Register and Fees for Registration - Sections 71- 80</li> <li>• Penalties- Sections 81-84</li> <li>• Miscellaneous including exemptions from the Act - Sections 85-92</li> </ul>

**Prescribed Books:**

- B.M. Prasad, Mulla's Code of Civil Procedure, Lexis NexisButterworths (2023)
- M.P. Jain, Code of Civil Procedure, Lexis NexisButterworths (2023)
- C.K. Takwani, Civil Procedure with Limitation Act, 1963, Eastern Book Company (2023)
- P.C. Sarkar and A.C. Sarkar, Sarkar's Law of Civil Procedure, Vol.2, Wadhwa and Co. (2023).
- Sir DinshawFardunjiMulla, The Registration Act, Lexis Nexis,14<sup>th</sup> Edition, (2020).
- JPS Sirohi, Indian Registration Act, Allahabad Law Agency (2019).
- M.L.Bhargava, Digest of Registration Act, 1908, Kamal Publishers (2019)

**Suggested Case Laws:** - Case Study to be included by the teacher in his lecture in theory classes, tutorials, project and presentation etc.

- Deep Chand v. Land Acquisition Officer, AIR 1994 SC 1901.
- Hansraj v. Dehradun Mussoorie Electric Tramway Co. Ltd., AIR 1933 PC 63.
- P.M. Metropolitan v. M.M. Marthoma, AIR 1995 SC 2001
- Kiran Singh v. ChamanPaswan, AIR 1954 SC 340.
- Dhulabhai v. State of MP, AIR 1969 SC 78.
- Pukhraj D. Jain v. G. Gopalakrishna, AIR 2004 SC 3504.
- Daryao v. State of UP, AIR 1961 SC 1457.
- State of UP v. NawabHussain, AIR 1977 SC 1681.
- SatyadhanGhosal v. Smt. Deorajin Debi, AIR 1960 SC 941.
- Hansia v. Bakhtawarmal, AIR 1958 Raj 102
- K.B. Saha& Sons Pvt. Ltd. v. Development Consultant Ltd. 2008 (8) SCC 564.
- SathappaChettiar v. RamanathanChettiar AIR 1958 SC 245
- Commercial Aviation & Travel & Co. v. VimalPannalal AIR 1988 SC 1636.
- Forward Construction Co. v. PrabhatMandal, AIR 1986 SC 391.
- Carlsberg Breweries v. Som Distilleries and Breweries, AIR 2019 Del 23.
- Razia Begum v. Sahebzadi Anwar Begum, (1959) SCR 1111.
- Gurbux Singh v. Bhooralal, AIR 1964 SC 1810
- Chandi Prasad Sikaria v. PremlataNahata, 2015 (14) RCR (Civil)454
- Salem Advocates Bar Association, Tamil Nadu v. UOI, AIR 2003 SC189.

- Salem Advocates Bar Association, Tamil Nadu v. UOI, AIR 2005 SC 3353.
- Srihari Hanumandas v. Hemant Vithal, 2021 SCC Online SC 565.
- Kailash v. Nanhku, 2005 (4) SCC 480
- M/s SCG Contracts India Ltd. V. K.S. Chamankar Infrastructure Pvt Ltd., AIR 2019 SC 2691.
- G.P. Srivastva v. R.K. Raizada, 2000(2) SCALE 198.
- Rani Choudhary v. Lt.Col. Surajjit Choudhary, 1982 (2) SCC 596.
- Rahul S. Shah v. Jinendra Kumar Gandhi, AIR 2021 SC 2161.
- Hiralal Patni v. Kali Nath, AIR 1962 SC 199.
- Jolly George Verghese v. Bank of Cochin, AIR 1980 SC 470.
- Subrata Roy Sahara v. UOI, (2014) 8 SCC 470.
- UOI v. Ibrahim Uddin, (2012) 8 SCC 148.
- Jadunandan Singh v. Koerkallyan Singh, (1912) 15 CLJ 61.
- Sir Chunnilal V. Mehta v. Century Spg. & Mfg. Co. Ltd, AIR 1962 SC 1314.
- State Bank of India v. S.N. Goyal, (2008) 8 SCC 92.
- Pankajakshi v. Chandrika, (2016) 6 SCC 157.

**Note:** - The list of cases is not exhaustive and the subject teacher is free to include more case laws. Given case laws are meant to be used for tutorial class, project presentation and discussion in theory classes.

#### **Additional Readings:**

- Bare Act, Code of Civil Procedure, 1908 (as amended upto date)
- Malimath Committee Report
- Law Commission Reports

#### **Teaching Plan**

Four lectures in a week shall be devoted to theory and one tutorial class will be given for preparing projects, pro-bono activities, clinical legal education, presentations, case studies etc. Mentorship class shall be held per week for students.

**Teaching Methodology**

Classroom teaching – Lecture Method and Discussion. Presentations and submission of written assignments on Clinical Legal Education and Pro Bono Work/Programmes shall be taken in the tutorial class. Students shall get an opportunity to interact with real clients facing real needs through clinical legal education and pro bono work/programmes. Students shall discuss and share experiences gained through Clinical Legal Education and Pro Bono Work/Programmes with class which will help them in the enhancement of their legal understanding and application.

**Facilitating the achievement of Course learning Outcome:**

Through the classroom teaching, lecture, and discussion methods students shall be facilitated to learn the basic concepts of Civil Procedure Code and an introduction to Registration Act. Apart from which two activities shall be conducted and coordinated by the subject teacher under clinical legal education and pro bono work/programmes. Each student shall participate in the activity and shall make a presentation on the said activity in the tutorial class. Department shall also organize various activities including workshops, special lectures, conferences, mooted activities, debates, declamations, symposiums, etc. The students shall learn by participating, organizing, and competing in these activities and students' participation in any form in any of the activities shall be encouraged, evaluated, and awarded. Students shall be provided with a platform to observe real life needs and challenges by participating in workshops, pro-bono programmes, activities under clinical legal education to be carried out in the Campus Area/Colleges and adjoining areas and villages.

**LL.B- THREE YEAR COURSE**

**THE BHARATIYA SAKSHYA ADHINIYAM, 2023**

<b>Paper :</b>	<b>III - Compulsory</b>	<b>Course Code :</b>	<b>03</b>
<b>LL.B. Third Year :</b>	<b>5<sup>th</sup> Semester</b>	<b>No. of Contact Hours :</b>	<b>06 per week (4+2) and Total: 64 hours</b>
<b>Course Credit :</b>	<b>04</b>	<b>Minimum Teaching Days :</b>	<b>13 weeks (90 working days)</b>
<b>Duration of Class :</b>	<b>60 Minutes</b>	<b>Teacher In-charge :</b>	<b>Dr. Dinesh Kumar</b>

**Objectives of the Course are to familiarize and discuss with students:**

- Meaning, purpose and application of rules of evidence as provided in The BharatiyaSakshyaAdhiniyam, 2023.
- Application of Rules in relation to relevancy of facts and proof in judicial proceedings.
- Process of adducing evidence, principles of admissibility and exclusion of evidences in judicial proceedings.
- Relevancy and admissibility of evidence produced in the court in a suit or proceeding and understand how the facts need to be proved in the courts.
- Process of adducing evidence through witness examination and argument for or against admissibility of their evidence.
- Kinds of evidences, modes of proof and burden of proof.
- Law as a LexFori and the role of a judge while hearing and appreciating the evidences on record in a suit or a proceeding.

**Course Learning Outcomes are students shall learn and;**

- Analyse the concept and nature of different types of evidence;



- Identify and apply the rules relating to relevance and admissibility of evidence in judicial proceedings;
- Understand the standard of burden of proof followed in civil and criminal cases;
- Analyse the role of witnesses and evidentiary value attached to ocular evidence vis-à-vis scientific evidence;
- Understand the procedure of examination of witnesses and different categories of witnesses involved in a suit or proceeding;
- Explain the role and presumption powers endowed upon the judges during the trials;
- Examine the applicability and admissibility of forensic science in civil and criminal cases along with the admissibility of expert's opinion.

**Scheme of Examination** – A total of 100 (80+20) marks are allotted to this Paper. There will be a theory examination of 80 marks and 20 marks are assigned for internal assessment.

**Time for Theory Examination:** Three Hours

**Theory Examination-** 80 marks

For the theory examination, the whole syllabus is divided into four units and every unit is further divided into modules. The question paper will be divided into 5 units. Question No.1 of Unit I shall be compulsory covering all the four units of the syllabus and shall consist of four parts. This compulsory question shall be of 20 marks. There will be two questions in each unit i.e., Unit III, Unit IV, and Unit V and the candidates will be required to attempt one question from each unit. Each question of these units shall be of 15 marks. The medium of the examination shall be English only. The paper setters are instructed to set the questions strictly according to the syllabus and keeping in view the course objectives and course outcomes.

**Internal Assessment** – 20 marks (Written Assignment and Oral Presentation)

Internal assessment shall be based on written assignment and oral presentation on the *two activities* as conducted and coordinated by the subject teacher as part of Clinical Legal Education and Pro Bono Work/Programmes. The subject teacher

either individually, or two or more subject teachers, jointly, may conduct and coordinate a collaborative activity for all the students. JRF's and Ph.D. scholars can be involved for conducting the activity. Each activity shall carry 10 marks which shall be further distributed as 5 marks for written assignment and 5 marks for oral presentation.

***Guidelines for Written Assignment:*** Students shall submit either hard copy or soft copy of the written assignment (either handwritten or typed) on A-4 size sheets to the respective subject teacher.

***Guidelines for Oral Submission:*** Students shall deliver an oral presentation based on written assignments duly submitted to the respective teacher.

Units	Modules
I	<ul style="list-style-type: none"> <li>• Preliminary (Sections 1 – 2)</li> <li>• Relevancy of Facts (Section 3)</li> <li>• Closely Connected Facts (Sections 4 - 14)</li> <li>• Admissions and Confessions (Sections 15 - 25)</li> <li>• Statement by persons who cannot be called as witnesses (Sections 26 - 27)</li> </ul>

II	<ul style="list-style-type: none"> <li>• Statements made under special circumstances (Sections 28 -32)</li> <li>• How much of a statement is to be proved (Section 33)</li> <li>• Judgments of Courts when relevant (Sections 34 - 38)</li> <li>• Opinion of third persons when relevant (Sections 39 - 45)</li> <li>• Character when relevant (Sections 46 -50)</li> <li>• Facts which need not to be proved (Sections 51-53)</li> <li>• Of Oral evidence (Sections 54-55)</li> </ul>
III	<ul style="list-style-type: none"> <li>• Of Documentary Evidence (Sections 56 - 73)</li> <li>• Public Documents (Sections 74-77)</li> <li>• Presumptions as to Documents (Sections 78 – 93)</li> <li>• Of the Exclusion of Oral Evidence by Documentary Evidence (Sections 94-103)</li> <li>•</li> </ul>
IV	<ul style="list-style-type: none"> <li>• Of the Burden of Proof (Sections 104 – 120)</li> <li>• Estoppel (Sections 121-123)</li> <li>• Of Witnesses (Sections 124-139)</li> <li>• Of Examination of Witnesses (Sections 140 – 168)</li> <li>• Of Improper Admission and Rejection of Evidence (Section 169)</li> <li>• Industrial Tribunal and the Law of Evidence</li> </ul>

### Prescribed Books

- Bare Act, The Bharatiya Sakshya Adhiniyam, 2023.
- Avtar Singh, Principles of the Law of Evidence (2008) Central Law Agency, New Delhi
- Ameer Ali and Woodroffe- Law of Evidence, Butterworths 18th Ed. (2009)
- Phipson and Elliot Manual of Law of evidence, Universal publishing, New Delhi, 2001
- Polein Murphy, Evidence (5th Edn. Reprint 2000) Universal Delhi
- Rattan Lal, Dhiraj Lal: Law of Evidence (1994) Wadhwa, Nagpur

- Sarkar and Manohar, Sarkar on Evidence (1999), Wadhwa and Co. Nagpur
- Vepa P. Sarathi's Law of Evidence, Eastern Book Company, 2017
- Wigmore on Evidence, Tillers (revised ed. 1983), Kluwer India Pvt. Ltd., 2008

**Suggested Case Laws:** - Case Study to be included by the teacher in his lecture in theory classes, tutorials, project and presentation etc.

- State of Maharashtra v. Prafulla B. Desai (Dr.) (2003) 4 SCC 601
- R. M. Malkani v. State of Maharashtra, AIR 1973 SC 157
- Mirza Akbar v. Emperor, AIR 1940 PC 176
- Badri Rai v. State of Bihar, AIR 1958 SC 953
- Mohd. Khalid v. State of W.B. (2002) 7 SCC 334
- Jayantibhai Bhenkerbhai v. State of Gujarat (2002) 8 SCC 165
- Bishwanath Prasad v. Dwarka Prasad, AIR 1974 SC 117
- Central Bureau of Investigation v. V.C. Shukla, AIR 1998 SC 1406
- Veera Ibrahim v. State of Maharashtra, AIR 1976 SC 1167
- Aghnoo Nagesia v. State of Bihar, AIR 1966 SC 119
- Pulukuri Kottaya v. Emperor, AIR 1947 PC 67
- Bodhraj v. State of J. & K. (2002) 8 SCC 45
- Khushal Rao v. State of Bombay, AIR 1958 SC 22
- Sudhakar v. State of Maharashtra (2000) 6 SCC 671
- Patel Hiralal Joitaram v. State of Gujarat (2002) 1 SCC 22
- Laxman v. State of Maharashtra (2002) 6 SCC 710
- Ram Narain v. State of U.P., AIR 1973 SC 2200: (1973) 2 SCC 86
- R. S. Maddanappa v. Chandamma (1965) 3 SCR 283 114
- Madhuri Patel v. Addl. Commissioner, Tribal Development, AIR 1995 SC 94
- Sanatan Gauda v. Berhampur University, AIR 1990 SC 1075
- M.C. Vergheese v. T.J. Ponnann, AIR 1970 SC 1876
- State of U.P. v. Raj Narain, AIR 1975 SC 865
- Goutam Kundu v. State of West Bengal, AIR 1993 SC 2295

- Dipanwita Roy v. Ronobroto Roy, AIR 2015 SC 418
- State of Bihar v. Laloo Prasad (2002) 9 SCC 626
- BhuboniSahu v. The King, AIR 1949 PC 257
- Haroon Haji Abdulla v. State of Maharastra, AIR 1975 SC 856
- Ravinder Singh v. State of Haryana, AIR 1975 SC 856

**Note:** - The list of cases is not exhaustive and the subject teacher is free to include more case laws. Given case laws are meant to be used for tutorial class, project presentation and discussion in theory classes.

#### **Additional Readings:**

- Bare Act, Indian Evidence Act, 1872
- Law Commission Reports

#### **Teaching Plan**

Four lectures in a week shall be devoted to theory and one tutorial class will be given for preparing projects, pro-bono activities, clinical legal education, presentations, case studies etc. Mentorship class shall be held perweek for students.

#### **Teaching Methodology**

Classroom teaching – Lecture Method and Discussion. Presentations and submissionsof written assignmentson Clinical Legal Education and Pro Bono Work/Programmesshall be taken in the tutorial class. Students shall get an opportunity to interact with real clients facing real needs through clinical legal education and pro bono work/programmes. Students shall discuss and share experiences gained through Clinical Legal Education and Pro Bono Work/Programmeswith class which will help them in the enhancement of their legal understanding and application.

**Facilitating the achievements of Course Learning Outcome**

Through the classroom teaching, lecture, and discussion methods students shall be facilitated to learn the basic concepts of Evidence. Apart from which two activities shall be conducted and coordinated by the subject teacher under clinical legal education and pro bono work/programmes. Each student shall participate in the activity and shall make a presentation on the said activity in the tutorial class. Department shall also organize various activities including workshops, special lectures, conferences, mooted activities, debates, declamations, symposiums, etc. The students shall learn by participating, organizing, and competing in these activities and students' participation in any form in any of the activities shall be encouraged, evaluated, and awarded. Students shall be provided with a platform to observe real life needs and challenges by participating in workshops, pro-bono programmes, activities under clinical legal education to be carried out in the Campus Area/Colleges and adjoining areas and villages.

## LL.B. – THREE YEAR COURSE

### SERVICE LAW

<b>Paper :</b>	<b>IV - Compulsory</b>	<b>Course Code :</b>	<b>04</b>
<b>LL.B. Third Year :</b>	<b>5th Semester</b>	<b>No. of Contact Hours :</b>	<b>06 per week (4+2) and Total: 64 hours</b>
<b>Course Credit :</b>	<b>04</b>	<b>Minimum Teaching Days :</b>	<b>13 weeks (90 working days)</b>
<b>Duration of Class :</b>	<b>60 Minutes</b>	<b>Teacher In-charge :</b>	<b>Prof. (Dr.) Babita Devi Pathania</b>

**Objectives of the Course are to make students understand:**

- In simple form for better understanding of service rules in their application by disciplinary authorities.
- Various steps involved in the disciplinary cases under Central Civil Services (Classification, Control and Appeal) Rules, 1965.
- And study effective implementation of penalties Central Civil Services (Classification, Control and Appeal) Rules, 1965.
- The application of Constitutional provisions of Equality in Relation to Service Matters.
- And study the Constitutional safeguards available to civil servants.
- And gain knowledge about different rules governing the concepts of Suspension, Annual Performance Appraisal Report and Adhoc Appointment.
- And gain knowledge about Principles for determining of seniority.
- And get strong conceptual and comparative analytical skills in the application of knowledge in practice while appearing before Administrative Tribunals, High Courts and Supreme Court of India.

**Course Learning Outcomes** are *students shall learn and understand the:*

- Importance of Constitutional provisions of equality in relation to Service Matters;
- Constitutional Safeguards available to civil servants;
- Directions given by Courts for dealing with service matters such as Ad hoc appointment and Annual Performance Appraisal Report;
- Article 309 of the Constitution of India;
- Status of employees;
- Central Civil Services (Classification, Control and Appeal) Rules,1965;
- Principles of Seniority;
- Applicability of Service laws in Administrative Tribunals.

**Scheme of Examination** – A total of 100 (80+20) marks are allotted to this Paper.

There

will be a theory examination of 80 marks and 20 marks are assigned for internal assessment.

**Time for Theory Examination:** Three Hours

**Theory Examination – 80 marks**

For the theory examination, the whole syllabus is divided into four units and every unit is further divided into modules. The question paper will be divided into 5 units. Question No.1 of Unit I shall be compulsory covering all the four units of the syllabus and shall consist of four parts. This compulsory question shall be of 20 marks. There will be two questions in each unit i.e., Unit III, Unit IV, and Unit V and the candidates will be required to attempt one question from each unit. Each question of these units shall be of 15 marks. The medium of the examination shall be English only. The paper setters are instructed to set the questions strictly according to the syllabus and keeping in view the course objectives and course outcomes.



**Internal Assessment – 20 marks (Written Assignment and Oral Presentation)**

Internal assessment shall be based on written assignment and oral presentation on the *two activities* as conducted and coordinated by the subject teacher as part of Clinical Legal Education and Pro Bono Work/Programmes. The subject teacher either individually, or two or more subject teachers, jointly, may conduct and coordinate a collaborative activity for all the students. JRF's and Ph.D. scholars can be involved for conducting the activity. Each activity shall carry 10 marks which shall be further distributed as 5 marks for written assignment and 5 marks for oral presentation.

***Guidelines for Written Assignment:*** Students shall submit either hard copy or soft copy of the written assignment (either handwritten or typed) on A-4 size sheets to the respective subject teacher.

***Guidelines for Oral Submission:*** Students shall deliver an oral presentation based on written assignments duly submitted to the respective teacher.

	<b>Modules</b>
	Constitutional right of equality (Articles 14 to 16) in relation to service matters including reservation in the services, Compassionate Appointment, Principles of equal pay for equal work, status and rights of adhoc employees and daily wagers and their regularization.

	<p>Article 323-  A of the Constitution, Administrative Tribunals, their Constitution, powers, jurisdiction and procedure under the Administrative Tribunals Act, 1985 along with the provisions of the Administrative Tribunals (Amendment) Act, 2006; Services under the Union and the States (Articles 309-311) and Article 320, compulsory retirement; probation</p>
	<p>Suspension and subsistence allowance (with special reference to CCS (CCA) Rules 1965), Principles for determining of seniority and Quota Rota Rule; Annual Performance Appraisal Report (APAR); Deputation</p>
	<p>Deputation, Major and Minor Penalties, Conduct and procedure of disciplinary departmental enquiries (including preliminary inquiry, chargesheet, Statement of defence, inspection and supply of copies of documents, production of evidence, appointment of enquiry officer, enquiry report, hearing if any on the question of penalty and final competent authority) (with special reference to CCS (CCA) Rules, 1965)</p>

### Prescribed Books

- A.S. Bhatnagar: Guide to Departmental Problems Enquiries, Punishment & Appeal
- G.V. Singh: Law of Suspension, Penalties and Departmental Enquiries
- Muthu Swami: Departmental Proceedings
- Babita Devi Pathania, Service laws in India
- A.S. Ramchandaran: Law relating to Departmental Enquiries
- Narinder Kumar: Law relating to Government Services and Management of Discipline Proceedings.

**Suggested Case Laws:** - Case Study to be included by the teacher in his lecture in theory classes, tutorials, project and presentation etc.

- R.K. Dalmia v. Union of India AIR 1983SC130
- Azija Begum v. State of Maharashtra and Anr. 2012CrL 485
- Maneka Gandhi v. Union of India (1978)2 SCR. 621
- State of Uttar Pradesh v. Vijay Kumar Mishra AIR 2003 SC 4411
- Shankar K Mandal and Others v. State of Bihar and others 2003(1) SCW 2980 SC
- Madan Lal v. State of J&K AIR 1995 SC 1088
- Triloki Nath v. State of Jammu & Kashmir (1969)1SCR 103A
- Indra Swahney v. Union of India AIR 1993 SC 477
- Janhit Abhiyan v. Union of India (Writ Petition (Civil) No. 55 of 2019)
- M. Nagaraj v. Union of India (2006)8SCC 212
- Jainail Singh v. Lachmi Narain Gupta ( ) 2018 SCC Online SC 1641
- Union of India v. Tulsiram Patel AIR 1965 SC 1416
- Umesh Kumar Nagpal v. State of Haryana and Others JT 1994(3) SC 525
- State of Punjab v. Jagjit Singh 2017(1) SCC 148
- State of Haryana v. Piara Singh and Ors. (1992)4 SCC 118
- State of Karnataka and Ors. v. Umadevi (2006)4 SCC 1
- L. Chandra Kumar v. Union of India AIR 1995 SC 1151
- R.K. Jain v. Union of India (2013)14 SCC 794

**Note:** - The list of cases is not exhaustive and the subject teacher is free to include more case laws. Given case laws are meant to be used for tutorial class, project presentation and discussion in theory classes.

#### **Additional Readings:**

- Administrative Tribunals Act, 1985
- Administrative Tribunals (Amendment) Act, 2006
- Constitution of India, 1950

#### **Teaching Plan**

Four lectures in a week shall be devoted to theory and one tutorial class will be given for preparing projects, pro-bono activities, clinical legal education, presentations, case studies etc. Mentorship class shall be held per week for students.

#### **Teaching Methodology**

Classroom teaching – Lecture Method and Discussion. Presentations and submission of written assignments on Clinical Legal Education and Pro Bono Work/Programmes shall be taken in the tutorial class. Students shall get an opportunity to interact with real clients facing real needs through clinical legal education and pro bono work/programmes. Students shall discuss and share experiences gained through Clinical Legal Education and Pro Bono Work/Programmes with class which will help them in the enhancement of their legal understanding and application.

### **Facilitating the achievements of Course Learning Outcome**

Through the classroom teaching, lecture, and discussion methods students shall be facilitated to learn the basic concepts of service law. Apart from which two activities shall be conducted and coordinated by the subject teacher under clinical legal education and pro bono work/programmes. Each student shall participate in the activity and shall make a presentation on the said activity in the tutorial class. Department shall also organize various activities including workshops, special lectures, conferences, moot activities, debates, declamations, symposiums, etc. The students shall learn by participating, organizing, and competing in these activities and students' participation in any form in any of the activities shall be encouraged, evaluated, and awarded. Students shall be provided with a platform to observe real life needs and challenges by participating in workshops, pro-bono programmes, activities under clinical legal education to be carried out in the Campus Area/Colleges and adjoining areas and villages.

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**LL.B. – THREE YEAR COURSE**  
**PROFESSIONAL ETHICS & PROFESSIONAL ACCOUNTING SYSTEM**

<b>Paper:</b>	<b>V - Compulsory</b>	<b>Course Code:</b>	<b>05</b>
<b>LLB Third year:</b>	<b>5<sup>th</sup> Semester</b>	<b>No. of contact hours</b>	<b>06 per week (4+2) and Total: 64 hours</b>
<b>Course Credit:</b>	<b>04</b>	<b>Minimum Teaching Days:</b>	<b>13 weeks (90 working days)</b>
<b>Duration of Class:</b>	<b>60 Minutes</b>	<b>Teacher In-charge:</b>	<b>Prof. (Dr.) Devinder Singh</b>

**Objectives of the Course are to familiarize the students with:**

- Legal provisions, guidelines and judicial decisions on the subject of professional conduct for lawyers.
- Opinions of the Bar Council of India on professional misconduct.
- Basis of professional accountancy.
- Decorum to be followed in the Courts.
- The Bar and Bench relations

**Course learning Outcomes** that students shall learn and understand the

- Necessity for a Code of Ethics for advocates;
- Various duties of an advocate;
- Consequences of professional misconduct and punishment for the same;
- Contempt law, procedure and practice;
- Landmark judgments of Hon'ble Supreme Court on Contempt and professional misconduct.

**Scheme of Examination** – A total of 100 (80+20) marks are allotted to this Paper. There will be a theory examination of 80 marks and 20 marks are assigned for internal assessment.

**Time for Theory Examination:** Three Hours

**Theory Examination – 80 marks**

For the theory examination, the whole syllabus is divided into four Units and every Unit is further divided into modules. The question paper will be divided into 5 Units. Question No. 1 of Unit I shall be compulsory covering all the four units of the syllabus and shall consist of four parts. This compulsory question shall be of 20 marks. There will be two questions in each unit i.e., Unit II, Unit III, Unit IV, and Unit V and the candidates will be required to attempt one question from each Unit. Each question of these units shall be of 15 marks. The medium of the examination shall be English only. The paper setters are instructed to set the questions strictly according to the syllabus and keeping in view the course objectives and course outcomes.

**Internal Assessment – 20 marks (Written Assignment and Oral Presentation)**

Internal assessment shall be based on written assignment and oral presentation on the two activities as conducted and coordinated by the subject teacher as part of Clinical Legal Education and Pro Bono Work/Programmes. The subject teacher either individually, or two or more subject teachers, jointly, may conduct and coordinate a collaborative activity for all the students. JRF's and Ph.D. scholars can be involved for conducting the activity. Each activity shall carry 10 marks which shall be further distributed as 5 marks for written assignment and 5 marks for oral presentation.

***Guidelines for Written Assignment:*** Students shall submit either hard copy or soft copy of the written assignment (either handwritten or typed) on A-4 size sheets

to the respective subject teacher.

**Guidelines for Oral Submission:** Students shall deliver an oral presentation based on written assignments duly submitted to the respective teacher.

Units	Modules
<p style="text-align: center;"><b>I</b></p> <p><b>Necessity of Code of Ethics for advocates</b></p>	<ul style="list-style-type: none"> <li>• Historical introduction to Legal profession in India- Pre-British Period, British period; Categories of legal professionals- Barristers, Vakils, Pleaders, Mukhtar, Advocates.</li> <li>• The Seven lamps of advocacy- Honesty, Courage, Wit, Industry, Eloquence, Legal Judgment, Professional Fellowship.</li> <li>• Code of ethics for advocates, Part-VI, Bar Council of India Rules- Duties of an advocates towards his client, court, opposite party, colleagues and to General Public, Advocates' right to strike.</li> </ul> <p>Bench and Bar Relationship</p>
<p style="text-align: center;"><b>II</b></p> <p><b>Advocates Act, 1961</b></p>	<ul style="list-style-type: none"> <li>• Bar Councils- Functions of State Bar Councils (Section 6) and Bar Council of India (Section 7)</li> <li>• Admission and Enrolment of Advocates (Sections 16-26)- Senior and other advocates, Roll of advocates, Persons who may be admitted as advocates on State Roll, Disqualification for enrolment.</li> <li>• Right to practice as an advocate (Sections 29-34)- Advocates to be only recognized class of persons entitled to practice.</li> <li>• Conduct of advocates and disciplinary proceedings (Sections 35-44) - Punishment of advocates for misconduct, Appeal to Bar council of India and to the Supreme Court.</li> </ul> <p>Importance of accountancy in the legal profession.</p>
<p style="text-align: center;"><b>III</b></p>	<ul style="list-style-type: none"> <li>• Civil and Criminal contempt (Section 2)</li> <li>• Defences- Innocent publication and distribution (Section 3), Fair and Accurate reporting of judicial</li> </ul>



<p><b>Contempt of Courts Act, 1971</b></p>	<p>proceedings (Section 4), Fair criticism of Judicial Act(Section 5), Complaint against presiding officers of subordinate Courts (Section 6), Publication of proceedings held in chambers (Section 7). Justification of truth (Section 13).</p> <ul style="list-style-type: none"> <li>• Procedure in contempt proceedings- Contempt on the face of the court (Section 14), contempt committed by the publication (Section 15).</li> <li>• Punishment for contempt of court (Section 12), apology (Section 12) and appeals (Section 19).</li> <li>• Contempt law vis-à-vis constitutional provisions</li> </ul>
<p><b>IV</b></p> <p><b>Study and Analysis of judgments of Hon'ble Supreme Court</b></p>	<ul style="list-style-type: none"> <li>• Delhi Judicial Service Association, Tis Hazari Court Delhi Vs State of Gujrat and others, AIR 1991 SC 2176</li> <li>• Supreme Court Bar Association Vs Union of India and Ors., AIR 1998 SC 1895</li> <li>• D.C. SaxenaVs Hon'ble CJI, 1996 (5) SCC 216</li> <li>• PrashantBhushan, (In Re), 2020 AIR (SC) 4114</li> <li>• Mohd. AslamVs Union of India, AIR 1995 SC 548</li> <li>• PrtihaviNath Ram Vs State of Jharkhand and Ors., (2004) 7 SCC 261</li> <li>• P.D. Gupta Vs Ram Murti&amp;Anr., AIR 1998 SC 283</li> <li>• Bar Council of MaharastraVs M.V. Dhaboljar&amp;Ors., AIR 1976 SC 242</li> <li>• R.D. SaxenaVsBalram Prasad Sharma, (2000) 7 SCC 264</li> <li>• Bar Council of Andhra Pradesh VsKurapatiSatyanarayana, AIR 2003 SC 175</li> </ul>

### Prescribed Books

- Iyer, Krishnamurthy, Book on Advocacy, Asia Publishing House, Bombay (2023)
- M.G. Patkar, Book Keeping and Accountancy, Phadke Publication, Kolhapur (2023)
- Professional Ethics, Bar Council of India Publications (seven copies/volumes) (2023)

- Dr. S.P. Gupta: Professional Ethics, Accountancy for Lawyers and Bench Bar Relations, Central law Agency
- Dr. Neetu Gupta: Professional Ethics, Accountancy for Lawyers and Bench Bar Relation including Contempt of Court Act, Advocates Act, Shree Ram Law House, 4<sup>th</sup> Edition 2023.

**Suggested Case Laws:** Case Study to be included by the teacher in his lecture in theory classes, tutorials, project and presentation etc.

- AmbardVs Attorney General Trinidad and Tobago, AIR 1936 PC 141
- Arundhati Roy, (In re), (2002)3 SCC 343
- Bradakanta Mishra Vs Chief Justice of Orissa High Court, AIR 1974 SC 2255
- Bar Council of India Vs A.K. Balaji&Ors, AIR 2018 Supreme Court 1382
- C.S KarnanVs Hon'ble Supreme Court of India &Ors., 2017 (4) RCR (Civil) 454
- D.C. SaxenaVs Hon'ble the Chief Justice of India, 1996 (5) SCC 216
- Dr. Haniraj L. ChulaniVs Bar Council of Maharashtra & Goa, AIR 1996 SC 1708
- Ex-Capt Harish UppalVs Union of India, AIR 2003 SC 739
- Haniraj I. ChulaniVs Bar Council of Maharashtra & Goa, (1996) 3 SCC 342
- Harish Chandra TiwariVsBaiju, AIR 2002 SC 548
- Indian Council of Legal Aid and Advice Vs Bar Council of India 1995 SCC (1) 732
- Jamshed Ansari Vs High Court of Judicature at Allahabad 2016 (8) SCALE 260
- KuldeepAgarwalVs State of Uttrakhand, writ petition (PIL) No. 71 of 2019, decided on 03.09.2019.
- Leila David Vs State of Maharastra&Ors., AIR 2010 SC 862
- MarkandeyKatjuVsLokSabha, 2017 (2) SCC 384
- M.B Sanghi, Advocate Vs High Court of Punjab and Haryana, AIR 1991 SC 1834
- Ms. Indira JaisingVs Supreme Court of India through Secretary General, 2017 (9) SCC 766
- P.V NarasimhaRaoVs State, 1998 (4) RCR (Cri) 260
- Subrata Roy Sahara Vs Union of India, (2014) 8 SCC 470
- SwapnilTripathiVs Supreme Court of India, AIR 2018 SC 4806
- Vijay Kurle, (In re), 2020 (7) SCALE 541

**Note:** - The list of cases is not exhaustive and the subject teacher is free to include more case laws. Given case laws are meant to be used for tutorial class, project presentation and discussion in theory classes.

### **Additional Readings**

- Bare Act, Advocates Act, 1961
- Bare Act. Contempt of Court Act, 1971
- Part- VI and VII of Bar Council of India Rules
- 50 selected opinions of the Disciplinary Committees of Bar Councils

### **Teaching Plan**

Four lectures in a week shall be devoted to theory and one tutorial class will be given for preparing projects, pro-bono activities, clinical legal education, presentations, case studies etc. Mentorship class shall be held perweek for students.

### **Teaching Methodology**

Classroom teaching – Lecture Method and Discussion. Presentations and submissions of written assignments on Clinical Legal Education and Pro Bono Work/Programmes shall be taken in the tutorial class. Students shall get an opportunity to interact with real clients facing real needs through clinical legal education and pro bono work/programmes. Students shall discuss and share experiences gained through Clinical Legal Education and Pro Bono Work/Programmes with class which will help them in the enhancement of their legal understanding and application.

### **Facilitating the achievement of Course learning Outcome:**

Through the classroom teaching, lecture, and discussion methods students shall be facilitated to learn the basic concepts of Professional Ethics. Apart from which two

activities shall be conducted and coordinated by the subject teacher under clinical legal education and pro bono work/programmes. Each student shall participate in the activity and shall make a presentation on the said activity in the tutorial class. Department shall also organize various activities including workshops, special lectures, conferences, mooted activities, debates, declamations, symposiums, etc. The students shall learn by participating, organizing, and competing in these activities and students' participation in any form in any of the activities shall be encouraged, evaluated, and awarded. Students shall be provided with a platform to observe real life needs and challenges by participating in workshops, pro-bono programmes, activities under clinical legal education to be carried out in the Campus Area/Colleges and adjoining areas and villages.