

RANI DURGAVATI VISHWAVIDYALAYA, JABALPUR
SCHEME & SYLLABUS PRESCRIBED FOR THE DEGREE OF
BACHELOR
OF LAW LL.B. – VI SEM
(COMPULSORY PAPERS)

| | | Six Semester | |
|-----------|---|--------------------------|--------------------------|
| | | Maximum Marks | Minimum Marks |
| Paper-I | Code of Civil Procedure-II Limitation Act | 100 | 36 |
| Paper –II | Drafting, Pleading & Conveyancing | 100 | 36 |
| Paper-III | Moot Court, Trial Proceeding & Practical Training | 100 | 36 |
| Paper-IV | Forensic Science, Handwriting & Finger Print Science | 100 | 36 |
| Paper V | Socio-Economic Offences | 100 | 36 |
| Paper-VI | The Arbitration and Conciliation Law of India | 100 | 36 |

PAPER-I
CODE OF CIVIL PROCEDURE 1908-II
LIMITATION ACT

Max. Marks -100
Min. Marks - 36

The details of syllabus of this papers are as under :-

Section A

- 1 Commissions (O-26) and (Sec- 75 to 78)
- 2 Suits by or against the (Government) or public officers in their official Capacity (S-79-82) (O-27)
- 3 Suits by Aliens and by or against Foreign Rulers.(S- 83-87A)
- 4 Suits against Rules of Former Indian States. (S-87B)

- 5 Suit involving a substantial questions of law as to the inter-relation of the constitution (O-27A)
- 6 Suits by or against military, naval or airmen (O-28)
- 7 Suits by or against Corporation (O-29)
- 8 Suits by or against firms and persons carrying on Business in names other than their own (O-30)
- 9 Suits by or against trustees, executors and administrators (O-31)
- 10 Suits by against minors and persons of unsound mind (O-32)
- 11 Suits Relating to matters Concerning the family (O-32 A)
- 12 Suits by paupers (O-33)
- 13 **Suits relating to mortgages of immovable property (O-34)**
- 14 **Interpleader (O-35) (S-88)**
- 15 Settlement of disputes out side the court (Sec- 89)
- 16 Special Case (O-36) (S-90)
- 17 Suits relating to Public matters (S-91-93)
- 18 Summary Procedure or Negotiable Instruments (O-37)
- 19 Arrest and Attachment before judgment (O-38) (S-94 & 95)
- 20 Temporary Injunctions and Interlocutory Orders (O-39)
- 21 Appointment of Receiver (O-40)
- 22 Appeals from original decrees (O- 41& S. 96- 99A)
- 23 Appeals from appellate decrees. (O-42& S-100- 103)
- 24 Appeals from orders (O- 43 & S-104-106)
- 25 Powers of Appellate Courts (S- 107-108)
- 26 Pauper Appeals (O-44)
- 27 Appeals to the Supreme Courts (O- 45) (S- 109-112)
- 28 Refrrence (O- 46) and (S-113)
- 29 Review (O- 47) and (S-114)
- 30 Revision (S -115)
- 31 Special Provisions Relating to the High Courts not being the Court of a Judicial Commissioner (S- 116-131)
- 32 Miscellaneous (O-48) (S-132-158)
- 33 Chartered High Court (O-49)

34 Provisional Small Causes Courts (O-50)

35 Presidents small causes courts (O-51)

Note- All amendments upto date.

Section - B

36 Limitation Act 1963 (As amendment upto date) (whole Act).

Section - C

Prescribe Cases

1. State Vs. Administrator A.I.R. 1972 SC 749
2. Hindustan Aeronautics Vs. Ajit Prasad AIR 1973 SC 76
3. M.P. Shrivastava Vs. Smt. Beena AIR 1967 SC 1193
4. Mahendra & Mahendra Paper Mills Ltd. Vs. Mahendra & Mahendra Ltd.
AIR 2002 SC 117
5. Ratan Lal Bansi Lal Vs. Kishorilal Goel AIR 1993 Cal. 144

BOOK RECOMMENDED : (Latest editions of all books)

1. Mulla : Code of Civil Procedure, 1908.
(Student edition).
2. S.C. Sarkar : The Law of Civil Procedure.
3. C.K. Takwani : Civil Procedure.
4. B.B. Mitra : The Limitation Act, 1963.

PAPER -II
DRAFTING, PLEADINGS, CONVEYANCING AND
PROFESSIONAL ETHICS

Max. Marks -100

Min.Marks – 36

The details of syllabus of this papers are as under :-

Section -A

Conveyancing : General Principles of conveyancing with special reference to the following.

- (a) Sale Deed
- (b) Lease Deed
- (c) General power of attorney.
- (d) Will deed.
- (e) Gift deed
- (f) Mortgage deed
- (g) Promissory note.

Section -B

Pleadings : General Principles of pleadings with special reference to the following.

- (i) Civil :
 - (1) **Plaint and written statement with reference to the suits mentioned below :**
 - (a) Money Suit.
 - (b) Ejectment Suit.
 - (c) Injunction
 - (d) Interlocutory application under the provisions of C.P.C.
 - (e) Suits under Hindu Marriage Act, 1955.
 - (f) Suis for specific performance of contract.
 - (g) Original petition.
 - (h) Affidavit.
 - (i) Execution petition.
 - (j) Memorandum of Appeals and Revision.
 - (k) Petition under Act, 226 & 32 of the Constitution of India.

Section -C

Criminal : Criminal pleadings with respect to the following.

Drafting of FIR (u/s 154 Cr. p.c.) Drafting of Challan/Charge Sheet

(u/s 173 Cr. P.C.)

- (a) Complaints for Commission of offences u/s 294, 323, 324 and 325, 341, 352, 506, of the IPC.

- (b) Criminal Miscellaneous Petition. Interlocutory applications.
- (c) Bail applications u/s 436 & 437 of Cr. P.C.
Anticipatory Bail application u/s 438.
Cancellation of bail u/s 439 (i) & (ii)
- (d) Maintenance application, u/s 125-128 Cr. P.C.
- (e) Memorandum of appeal and revision.

(D) Professional ethics (Atleast Six Lectures **will be** delivered on this subject).

BOOK RECOMMENDED : (Latest editions of all books)

1. Murli Manohar : Art of Conveyancing & Pleading.
2. Shri Gopal : (Conveyancing, Precedents & Forms.
3. Mogha's Pleadings.
4. Mogha's Conveyancing.
5. N.S. Bindra : Pleading and Practice.
- 6.
7. M.P. High Court : Rules and Orders (Civil)
8. M.P. High Court : Rules and Orders (Criminal)
9. Advocates Act, 1961.
10. Bar Council of India Rules of Professional Ethics.
11. M.P. Civil Courts Act, 1958.

PAPER -III
MOOT COURT TRIAL PROCEEDINGS AND PRACTICAL TRAINING

The details of syllabus of this papers are as under :-

| | |
|--|-------------------|
| (A) Preparation of Diary and Attendance in Courts. | 30 marks. |
| (B) Moot Courts | 20 marks |
| (C) Viva-Voce Examination | 50 marks |
| | Total - 100 Marks |

Section - A

PREPARATION OF DIARY AND ATTENDANCE IN COURT :

This diary shall consist of the following. 30 Marks

- (i) Preparation of Five legal cases.
- (ii) Record of Moot Court activities.
- (iii) Record of group discussion, debate, etc.
- (iv) Record of visits.
- (v) **Record of attendance in courts.**

All Students shall be required to prepare a diary of five legal cases or proceedings or interim petitions in courts as far as possible from start to finish of the following nature :-

- (i) Civil Suit.
- (ii) Criminal Case.
- (iii) Session Case.
- (iv) Small cause proceedings : or
- (v) A proceedings before a labour Court, revenue Court, Central Administrative Tribunal or State Administrative Tribunal or any other court as may be decided by the teacher concerned.

The cases shall be prepared on the basis of personal visits of every student, to the Court alongwith his/her teacher. No mark will be awarded to students whose diaries appear to be the copy of other diaries whether in content or in handwriting.

The diary shall be prepared by **the students** in their own handwriting signed by him/her and counter signed by **the concerned** teacher. The work of the preparation of diary shall be assessed by the **internal external** examinations appointed by the University..

A student for this course shall **be required** to participate atleast twice in the year in a group discussion or debate or **talk preferably** on a topic of current legal importance as may be decided by the **concerning teacher**. The student shall record his views in his own hand writing from time to **time signed** by him and counter signed by the concerned teacher. The same will be duly **assessed for the purpose** of allotting the marks.

VISITS : The student in convenient groups **under the supervision** of a teacher shall visit the following office on such days and **during such timings as may be decided** by the concerned department/college.

- (1) **Office of the Registrar, Clerks of the Courts of Nazir Record Keepers etc. in courts.**
- (2) **Police Station.**
- (3) **Office of the Sub-Registrar under the Indian Registration Act.**

Section – B

MOOT COURTS :

20 Marks

Separate groups shall be formed and cases involving several issues in any branch of law shall be assigned to each group. **The aim of the moot court shall be** imparting of practical training in Court Procedure i.e. **preparation of a brief and actual** argument of the points involved. The Department/College shall **prescribe the number of** moot courts. The College/Department shall **maintain full record of each student to moot** courts.

The Department/College shall **maintain a record** of attendance to the Court for the practical training to **enforce regular attendance strictly**.

The student shall submit **their diaries etc.** to the concerning College/Department for evaluation. The Colleges/Department shall send them to the University. The assessment of moot court shall **be done** by the University. The total marks of moot court examination shall be 20.

The moot court shall consist of the following :-

- (i) Preparation of brief, and
- (ii) Oral arguments, group discussion, debate etc. on the points involved on behalf of one or other party.

Section – C

VIVA - VOCE EXAMINATION

50 Marks

Besides the marks being allotted to the preparation of diary and moot courts a viva-voce examination shall be held by the University. The University shall constitute a Committee of two examiners one external and one internal. The committee may ask questions on the basis of the subjects passed/appeared (of LL.B. Part-I, II & III) by the students and as well as on the diary prepared by her. The maximum marks of the viva-voce, diary and marks shall be 50. It is compulsory for the candidate to appear.

Professor-in-Charge : The students in 'Practical Training' shall be assisted by a Professor-in-charge to be appointed by the Law Department/College, etc. The concerned Professor may form groups and the work may be assigned to each group.

PAPER -IV

FORENSIC SCIENCE HANDWRITING AND FINGER PRINT SCIENCE

Max. Marks -100

Min.Marks - 36

The details of syllabus of this papers are as under :-

Section -A

1. History and development of forensic Science.
2. Areas and scope.
3. Scene of crime and its preservation, collection, Packing and transportation of various types of Physical evidences.
4. Impressions : Finger Prints, Foot and Footwear Prints, Tyre Prints, Track Marks, Cail Pattern.
5. Questioned Documents : Nature, Types and Examination of forged documents, Charred Documents, Alteration in documents, Characteristics and examination of Hand written typed, printed and indented materials, Seal and Rubber Stamps.
6. Counterfeit coins and currency and related laws.
7. Firearms and examination of balliastic evidence and related forensic aspects. tool marks.

Section -B

8. Poisons : Nature, types medico-legal, aspects and analysis.
9. Nature and preliminary examination of various biological fluids such as blood, semen, saiva etc. and of autopsy specimen.
10. Wounds and their characteristics, Autopsy.
11. DNA Profiling and forensic aspect.
12. Forensic science in scientific investigation of various crime such as deaths (accidental, suicidal or Homicidal), sexual offences, Arsen explosives and offences against properties.
13. Expert-opinion on Forensic Science.
14. Police organisation at district state and national level, qualities of investigator, First Information Report, (FIR) case diary, arrest, search and seizure.

Section -C

Prescribe Cases

1. State of M.P. Vs. Mubarak Ali AIR 1959 SC 707
2. S. Gopal Reddi Vs. State of A.P. 1996 (4) SCC 596
3. Gautam Kunddu Vs. State of W.B. AIR 1993 SC 2295
4. State of Bombay Vs. Kathi Kaloo AIR 1961 SC 1808
5. Mr. X Vs. Mrs Z AIR 2002 Dehli 217

BOOK RECOMMENDED :

1. B.L. Saxena : Identification of Handwriting.
Disputed Documents, Fingerprints, Footprints
and Detection of Forgery (Allahabad)
2. S.N. Tiwari : Monograph on Analytical Toxicology (New
Delhi)
3. I.B. Rao & M. Johari : Firearms in Criminal Investigations and Trials
4. B.R. Sharma : Firearms in Criminal Investigations and Trials.
5. H.J. Walls : Forensic Science (Sweet and Maxwell, London)
6. जे.डी. शर्मा : विधि विज्ञान एवं विष विज्ञान
(Forensic Science & Toxicology)
7. बसन्तीलाल बाबेल : न्यायिक विज्ञान (Forensic Science)
8. बसन्ती लाल बाबेल : हस्तलेख, अंगली छाप विज्ञान
(Handwriting and Fingerprint Science)

PAPER -V
SOCIO-ECONOMIC OFFENCES

Max. Marks -100

Min.Marks - 36

The details of syllabus of this papers are as under :-

Section -A

1. **Conceptions :**
 - (a) Notion of "White Collar Crimes"
Sutherland's analysis, applications to Indian conditions.
 - (b) From Santhanam Committee Report to the 29th and Forty Law Commission of India Report.
 - (c) Organised crimes.
2. **Corruption :**
 - (a) (i) General concept of "Corruption Nepotism"
"Favoritism" and Bribery.
(ii) Santhanam Committee Report.
(iii) Special Legal regime.
 - (b) Causes of corruption.
 - (c) Investigation (Under Criminal Laws Amendment Act)
 - (d) Sanction for prosecution (Under Criminal Procedure Code; Prevention of Corruption Act)
 - (e) The category of "Public servants liable for prosecution for corruption offences.
 - (f) Relevant aspect of the A.R. Antuly's case.
 - (g) Sentencing policies & Trends.
3. **Black Money :**
 - (a) Conception of Black Money
 - (b) Legal Provisions for Investigation into Black Money.
 - (c) Disproportionate Assets.
 - (d) The Role of the Central Vigilance Commission.
 - (e) Sentencing Policies and pattern
 - (f) Amnestly-Retroactive legislation of Black Money (through Voluntary disclosure Schemes) bearer boards etc.
4. **Organised Crimes :**
 - (a) Drug Trafficking addiction and above.
 - (b) Smuggling.
 - (c) Chit-fund swindlers.

- (d) Prostitution.
- (e) Begging
- (f) Buying and selling of women across state borders

Section -B

5. Crimes against-Consumers of goods and Services

- (a) Food Adulteration
- (b) Drug Adulteration
- (c) Offences relating to weight and measures.
- (d) Pollution Offences
- (e) Medical Malpractices

6. Legal Regimes of investigation and Enforcement

- (a) Differentiation in onus of proof through presumptions of guilt and due process problems.
- (b) Role of special courts.
- (c) The variety of enforcement mechanism specialised and general.
- (d) Withdrawal from prosecution.
- (e) Strict-liability and vicarious liability
- (f) Group liability (Associational, Corporate)

7. Alternative/Additional Strategies :

- (a) Role of Lokpal/Lokayukt in the prevention of socio-economic crimes.
- (b) Tax Reforms.
- (c) Electoral Reforms
- (d) Reform of Prosecutorial Structure

Section -C

Prescribed Cases :

1. J. Jayalalita V. Union Of India AIR 1999 SC 1912.
2. J. Jayalalitha V. M. Channa Reddy 1998 (8) SC 601.
3. P.V. Narsimha Rao V. State (C.B.I./SPS) AIR 1998 SC 2120.
4. R.S. Nayak V. A.R. Antnlay AiR 1986 SC 2045.

Reports :

1. Report of Law Commission of India.
2. Santhanam Committee Report.
3. Wanchoo Committee Report of Tax Evasion.
4. Aspects of the Black Economy in India (1985)
Prepared by the National Institute of Public Finance.

1. International Documents :

- (i) (a) Declaration of Human Rights Act, 1948.

- (b) Convention on the elimination of all forms of discrimination against women.

2. National Documents :

- (a) Protection of Human Rights Act, 1993.
(b) M.P. Human Rights Act, 1993.
(c) Human Rights under the Indian Constitution.

BOOK RECOMMENDED :

- | | | |
|---------------------|---|---|
| 1. Suther land | : | White Collar Crimes |
| 2. K.P. Chakravarty | : | Prevention of Corruption in Public Services. |
| 3. Mahesh Chandra | : | Socio-Economic Crimes (Tripathi) |
| 4. A.P. Mathur | : | Commentaries on Food Adulteration Act (Eastern Book Co.) |
| 5. S.K. Clore | : | Economic Offences |
| 6. बसन्ती लाल बाबेल | : | पुलिस अन्वेषण |

PAPER -VI

THE ARBITRATION AND CONCILIATION LAW OF INDIA

Max. Marks -100

Min.Marks - 36

The details of syllabus of this papers are as under:-

Statutes Prescribed :

- (1) Arbitration and Conciliation Act, 1996
- (2) Alternative Dispute Resolution system - Brief study of General conciliation procedure, and Indian and international Arbitration institutions, e.g. the Indian Council of Arbitration UNCITRAL and its activities in the field of Arbitration and Conciliation international Council for Commercial Arbitration (ICCA) international chamber of Commerce (ICC) London court of international Arbitration (The LCIA). The American Arbitration Association (AAA)

Section -A

1. INTRODUCTION

GENERAL

- **Some Basic Expressions Relating to Arbitration**

- Domestic arbitration

- International arbitration

- Foreign arbitration

- Ad hoc arbitration

- Specialized arbitration

- Statutory arbitration

- Submission to arbitration

- Arbitration clause

- Practice of Arbitration in India

SOURCES

- International Conventions

- Multilateral Conventions

- Bilateral Conventions

- Judicial Decisions

II INDIAN LAW APPLICABLE TO ARBITRATION AGREEMENT- CONSEQUENCES

VALIDITY OF ARBITRATION AGREEMENT

- Matters that may be referred to arbitration restrictions under specific Laws
- Capacity of the parties
- Form of arbitration agreement
- Mandatory contents of arbitration agreement
- Validity of the agreement containing arbitration clause existence of

arbitration clause

III VENUE OF ARBITRATION

VENUE OF ARBITRATION

INTERNATIONAL ARBITRATION - LAW APPLICABLE TO PROCEEDINGS

INTERNATIONAL ARBITRATION - LAW APPLICABLE TO THE CONTRACT OR MERITS OF THE DISPUTES

IV INDIAN LAW APPLICABLE TO PROCEEDINGS - CONSEQUENCES

ARBITRATOR - QUALIFICATIONS AND CAPACITIES

APPOINTMENT OF ARBITRATORS AND COMPOSITION OF ARBITRAL TRIBUNAL

DUTIES AND RESPONSIBILITIES OF ARBITRATORS

POWER OF ARBITRATOR

Jurisdiction of arbitrator

Interim measures

Expert advice

Power to issue interrogatories

Power of the arbitrator to act as amiable compositeur

RESIGNATION

CHALLENGE TO THE APPOINTMENT OF ARBITRATOR

REMOVAL OF ARBITRATOR

ARBITRATION PROCEEDINGS

Domestic arbitration

International arbitration

Non-institutional arbitration - commencement

Written pleadings

Hearing of the parties to the arbitration

Evidence of witnesses

Inspection by arbitrator of the subject matter of dispute

THE ARBITRAL AWARD

The time limit for making the award

Award by consent

Interim award

Notification of making of the award

Making of the award

Award by majority

Filing of the award

Power to award interest

Correction of the award by the arbitrator

Stamp duty on award

V COSTS

AMOUNT AND PARTY LIABLE TO PAY
REMUNERATION OF ARBITRATOR

VI DEPOSITS TO BE MADE BEFORE START OF ARBITRATION
PROCEEDINGS

VII JUDICIAL REMEDIES

GENERAL

POWER OF THE COURT

POWER OF ISSUE SUMMONS TO WITNESS

INTERIM MEASURES OF PROTECTION

MODIFICATION OR CORRECTION OF THE AWARD

SETTING ASIDE OF AN AWARD

REMISSION OF AWARD BY THE COURT TO ARBITRATION TRIBUNAL

HIGH COURT RULES

VII ENFORCEMENT OF AWARDS

ENFORCEMENT OF DOMESTIC AWARDS

ENFORCEMENT OF FOREIGN AWARDS UNDER THE CONVENTIONS

PROCEDURE FOR ENFORCEMENT UNDER THE CONVENTIONS

Section -B

IX ENFORCEMENT OF AWARDS TO WHICH THE CONVENTIONS DO NOT
APPLY

X AWARDS MADE IN INDIA UNDER INDIAN PROCEDURAL LAW

AWARD MADE OUTSIDE INDIA UNDER INDIAN PROCEDURAL LAW

AWARD MADE IN INDIA UNDER FOREIGN PROCEDURAL LAW

AWARD MADE OUTSIDE INDIA UNDER FOREIGN PROCEDURAL LAW

XI STAY OF SUIT IN DOMESTIC ARBITRATION

XII STAY OF SUIT IN FOREIGN ARBITRATION

XIII JURISDICTION OF COURT

XIV APPEALS

XV CONCILIATION

CONCILIATION UNDER THE 1996 ACT

CONCILIATION AND ARBITRATION

THE EMOTIONAL ASPECT

SCOPE

COMMENCEMENT

CONCILIATORS

INSTITUTIONAL ASSISTANCE

STAGES

LEGAL EFFECT

ROLE OF THE PARTIES

CONCILIATOR'S PROCEDURE

DISCLOSURE AND CONFIDENTIALITY

ADMISSIONS, ETC.

PARALLEL PROCEEDINGS

CONCILIATOR NOT TO ACT AS ARBITRATOR, ETC.

COSTS AND DEPOSIT

REPEAL

CODE OF ETHICS FOR ARBITRATORS

RULES OF ETHICS FOR INTERNATIONAL ARBITRATORS

INTRODUCTORY NOTE

ARTICLE 1 FUNDAMENTAL RULE

ARTICLE 2 ACCEPTANCE OF APPOINTMENT

ARTICLE 3 ELEMENTS OF BIAS

ARTICLE 4 DUTY OF DISCLOSURE

ARTICLE 5 COMMUNICATIONS WITH PARTIES

ARTICLE 6 FEES

ARTICLE 7 DUTY OF DILIGENCE

ARTICLE 8 INVOLVEMENT IN SETTLEMENT PROPOSALS

ARTICLE 9 CONFIDENTIALITY OF THE DELIBERATIONS

CODE OF ETHICS OF THE VANCOUVER MARITIME ARBITRATORS ASSOCIATION (VMAA)

INSTITUTIONAL ARBITRATION SERVICES AND THE INDIAN COUNCIL OF ARBITRATION

Conciliation of Disputes

Expansion- of Network of ICA Arbitration Service Agreements with foreign arbitral Institutions ICANET- Online Service of ICA

UNCITRAL AND INTERNATIONAL ARBITRATION INSTITUTIONS

I. ORIGIN

II. UNCITRAL WORKING GROUPS

III. SESSIONS OF UNCITRAL AND ITS WORKING GROUPS

IV. WORK CARRIED OUT BY UNCITRAL

- A. International sale of goods and related transactions
- B. International transport of goods
- C. International commercial arbitration and conciliation
- D. Public Procurement
- E. Construction Contracts
- F. International Payments
- G. Electronic commerce

UNCITRAL NOTES ON ORGANISING ARBITRATION PROCEEDINGS

International Council for Commercial Arbitration (ICCA)

International Chamber of Commerce (ICC)

The London Court of International Arbitration (The LCIA)

The American Arbitration Association (AAA)

The International Centre for Settlement of Investment Disputes (ICSID)

Section -C

Prescribed CASES :

1. T.N. Electricity Board Vs. Bridge Tunnel Construction and others, (1997) 4 SCC (121).
2. Grid Corporation of Orissa Ltd. Vs. Indian Charge Chroms Ltd., (1998)5 SCC (124).
3. Dolphin international Ltd. Vs Ronak Enterprises INC, (1998)5 SCC (124).
4. M/S Construction India Vs. Secretary Works Department Government of Orissa and others (1998)2 SCC (89).

Selected Bibliography :

1. G.K. Kwatra : The Arbitration and Conciliation Law of India
2. Avtar Singh : Arbitration and Conciliation
3. Goyal : Arbitration and Conciliation Act 1996
4. अवतार सिंह : मध्यस्थ एवं सुलह एवं अनुकरा लिपिक
विवाद निपटान विधि
5. Avtar Singh : Legal Remedies
6. इन्द्रजीत मल्होत्रा : मध्यस्थ एवं सुलह अधिनियम 1986