

Maharaja Surajmal Brij University Batch 2017-20

Session - 2022-23

Syllabus of LL.B. 3 Years Course



Sixth Semester

अकादमिक प्रभारी
महाराजा सूरजमल बृज विश्वविद्यालय
भरतपुर (राज.)

Only For Session
2020-21

डॉ. आर. ए. शर्मा
अकादमिक प्रभारी
महाराजा सूरजमल बृज विश्वविद्यालय
भरतपुर (राज.)
7/11/22
7-11-22
(Dr. Manoj Kumar Sharma)

Maharaja Surajmal Brij University

Law of Evidence

Paper No. 601
Max. Marks: 100

Sem. VI
Min. Pass Marks: 40

Note : (1) In Order to ensure that students do not leave out important portions of the Syllabus, examiners shall be free to repeat the questions set in the previous examination.
(2) Leading cases prescribed under this paper may be read wherever they are relevant.

Indian Evidence Act, 1872

1. Preliminary: application of Indian Evidence Act, Definition: court, Fact-fact in issue and relevant fact, evidence meaning and its kinds, proved, disproved, not proved, may presume, shall presume, and conclusive proof. Presumptions of fact and law, presumptions regarding documents. Relevancy of Facts: Explaining - res-gestae,
2. Admission and Confession :
 - (a) Admission: Definition, whose admission is relevant, relevancy of admission in civil cases, admission is not conclusive proof, admission as an estoppel.
 - (b) Confession : Definition its kinds, confession caused by inducement, threat or promise, confession to police officer, confession in the custody of police, confession to Magistrate, confession by co-accused.
 - (c) Difference between admission and confession. Relevancy of statements:
 - (a) Statements by person who cannot be called as witness.
 - (b) Statement made under special circumstances.
 - (c) Relevancy of Judgment of a court of Law.
 - (d) Opinions of Third person.
 - (e) Opinion of Expert.
 - (f) Relevancy; of Character.
3. Evidence : Oral evidence, documentary evidence, Kinds of documentary evidence , when secondary evidences relevant, public and private document. Exclusion of oral evidence ; by documentary evidence; application of this principle, its exceptions, ambiguous documents, kinds of ambiguity. Burden of Proof : Meaning , general principles of burden of Proof in civil and criminal cases and exceptions to it. When burden of Proof shifts, proof of legitimacy of child, proof in dowry deaths and its matters of rape.
4. Estoppel : Meaning, essentials, nature and its kinds. Witness : competency of witness, when persons can be compelled to appear as witnesses, privileged communication and documents, accomplice, hostile witness.

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अकादमिक प्रभारी
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SESSION-2022-23

5. Examination of Witnesses : Order of examinations; Kind of examination, leading question, impeaching the credit of witness, questions which can and which cannot be asked , refreshing the memory of witness, production of document, Judge's power to put questions and to order production. Effect of improper acceptance or rejection of evidence.

Leading Cases :

1. Nishi kant Jha v. State of Bihar, AIR 1969 SC 422.
2. Himachal Pradesh Administraton V. Om Prakash , AIR 1972 SC 975.
3. Sat Paul V. Delhi Administraton, AIR 1976 SC 294.
4. Laxmipat Chorasias V. State of Maharashtra, AIR, 1968 SC 938.
5. Pakala Narayan Swami v. Experor AIR 1939 PC 47.
6. Bhardwada Bhogin Bhan Heerji Bhai V. State of Gujrat , AIR 1988 SC 753.
7. R.M. Malkani v. State of Maharashtra, AIR 1973 SC 157.

Suggested Readins :

1. Ratan Lal : The Law of Evidence.
2. Batuklal : Law of Evidence.
3. Vepa P. Sarathi : Law of Evidence.

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भरतपुर (राज.)

Maharaja Surajmal Brij University
Arbitration, Conciliation and alternate Dispute Resolution system

Paper No. 602
 Max. Marks: 100

Sem.VI
 Min.PassMarks:40

Note : (1) In Order to ensure that students do not leave out important portions of the Syllabus, examiners shall be free to repeat the questions set in the previous examination.

(2) Leading cases prescribed under this paper may be read wherever they are Relevant.

1. The arbitration and Conciliation Act, 1996.
 - (a) General Provisions – Arbitration agreement- Arbitral Tribunals (composition and Jurisdiction)- conduct of arbitral proceedings- arbitral awards- Termination of Proceedings- setting aside of arbitral award- Enforcement of foreign awards- New York convention Awards, Geneva convention Awards
 - (b) Conciliation- conciliators- Procedure of Conciliation Relationship of Conciliator with parties- Settlement-agreement- Termination of conciliating Proceedings- resort to arbitral or Judicial Proceedings- costs and Deposits.
2. Lok Adalats-
 Objects, role of committee for implementation of Legal Aid Schemes (CILAS) Permanent Conciliatory Centres in Gujrat- Functions of National Legal Services Authority, State Legal Services Authority and District Legal Services Authority; Organisation of Lok Adalat, Jurisdiction and powers of Lok Adalats, Procedure for determination of Dispute before the Lok Adalat.

Leading Cases :

1. State of Bihar V. Kameshwar Singh , AIR 1952 SC 252.
2. Vallabhdas meghji V. Cowosji Francji AIR 1925 Bom. 409.
3. Firm Mananlal Roshanlal Mahajan V. Humum Chand Mills Ltd. AIR 1967 SC 1030.
4. State Electricity Board, Tamil Nadu V. Sree Meenakshi Mills Ltd. AIR 1975 Mad 139.
5. Food Corporation of India V. M/S Thakur Shipping Co. AIR 1975 SC 469.

Suggested Readings :

1. The Arbitration and Conciliation Act, 1996.
2. The Legal Services Authorities Act, 1987
3. Snigdha- Lok Adalats in India-Genesis & Functioning.
4. Bakshi, P.M.- Arbitration Law.
5. Paruck, P.L.- Indian Arbitration Act.
6. Avtar Singh- Law of Arbitration and Conciliation.

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Maharaja Surajmal Brij University
Drafting, Pleading, conveyancing, pre-trial preparations,
Participation in Trial proceeding and Moot court

Paper No. 603
 Max. Marks: 100 ✓

Sem.VI
 Min.PassMarks:40

This Paper shall consist of following two parts:

~~Practical written Paper - 80 Marks~~ } 100 marks
~~Viva Voce Examination - 20 Marks~~

The candidate must pass in paper (a) and (b) separately, i.e. 29 Marks out of 80 and 7 marks out of 20 marks.

PRACTICAL WRITTEN PAPER

Drafting & Pleading;

General principles of Drafting and relevant substantive rules of pleading and their exceptions; amendment of Pleadings; alternative an Inconsistent Pleadings.

Drafting Exercise on Pleadings:

- (A) (i) Civil- (i) Plaints, (ii) Write statement; (iii) Interlocutory application, (iv) original petition (v) affidavit, (vi) Notice, (vii) Execution Petition; (viii) Memorandum of appeal and revision, (ix) writ petition and its appeal
 (ii) Criminal- (i) complaints, (ii) Bail application, (iii) Accused's reply; (iv) criminal Miscellaneous Petition, (v) Memorandum of appeal, Reference and Revision.

(B) Conveyancing :

Drafting exercise on conveyancing- (i) Sale Deed; (ii) Mortgage Deed; (iii) Gift Deed; (iv) Lease Deed; (v) Rent Deed; (vi) Partnership Deed; (vii) Power of Attorney; (viii) Promissory Note (x) Will.

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① No practical paper. only one paper that is written paper carry 100 marks only

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Maharaja Surajmal Brij University**Criminology and Penology****Paper No. 604**
Max. Marks: 100**Sem. V**
Min. Pass Marks: 40

Note : (1) In Order to ensure that students do not leave out important portions of the Syllabus, examiners shall be free to repeat the questions set in the previous examination.

(2) Leading cases prescribed under this paper may be read wherever they are relevant.

1. Criminology: Definition, nature and scope, methods of Studying, importance and classification of Crime.

Criminal behaviour:

(1) Explanations.

(2) Psychological theories- Alcoholism and Drugs.

Crime and social processes: Economic Motivation, socio-cultural movements, community, influences, white-collar crime Female offender, Juvenile Delinquency, Influence of Mass-Media.

2. Schools of Criminological Thought (Factors in causation of Criminal Behaviour).

1. Ancient School

(a) Demonological (b) School of Free-will.

2. Classical School.

3. Cartographic or ecological school.

4. Socialistic School.

5. Typological School

(a) Italian or Positive School. (b) Mental testers School.

6. Sociological School.

7. Multi-factor School.

Control of Crime: Police and Law Courts; Prison system – Re-socialisation of the offender, Rehabilitation of discharged prisoners in the administration of Criminal justice, prevention of crime delinquency.

3. Definition of Punishment, Relationship between criminology and penology: Theories of Punishment, Expiatory, Preventive and reformative and purposes of punishment.

Penal science in India : History of Punishment, pre-classical school- classical school, Neo-classical Positive school, The reformers, clinical school and multiple causation approach.

Leading Cases :

1. Gura singh v. state of Rajasthan, 1984 Cr. LJ 1423 (1428).
2. Bandhua Mukti Morcha V. union of India. AIR (1984) SC 802.
3. Francis coralie Mullin V. Union Territory Delhi, AIR(1981) SC 746.
4. R.K. Garg V. Union of India (1981) 133 IT 239.
5. Mithu V. State of Punjab, AIR 1983 SC 473.

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Paper- V

Moot court/Intership

Paper No. 605
Max.Marks: 100

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