

B.A. LL.B. (Hons.) SEMESTER-VIII

LBC801 Law of Crimes - II (Cr.P.C.)

LBC802 Civil Procedure Code-I

LBC803 Gender Justice & Feminist Jurisprudence

LBE801 Criminology, Penology & Victimology

Or

LBE802 Medical Jurisprudence

**LBS801 Professional Ethics, Accountability for Lawyer's &
Bar Bench Relation (Clinical Course)**

B.A. LL.B. (Hons.) Semester – VIII

LAW OF CRIMES – II (CRIMINAL PROCEDURE CODE)

Core Course LBC801

Credit 04

Continuous Evaluation 40 marks

Term End Examination 60 marks

UNIT –I

1.1 Object and Importance of Cr.P.C

1.2 Basic Concepts: Bailable, Non- Bailable, Cognizable, Non- Cognizable Offences,
Complaint, Charge, Police Report, Investigation, Inquiry, Summon Case, Warrant Case

1.3 Classification of Criminal Courts and Offices

1.4 Power of Courts

UNIT- II Pre- Trial Process

2.1 Arrest and Rights of Arrested Persons

2.2 Provisions for Bail and Bond

2.3 F.I.R , Complaint

2.4 Process to compel appearance of person

2.5 Process to compel production of things

2.6 Conditions requisite for initiation of proceedings

2.7 Commencement of proceedings before a Magistrate

UNIT- III Trial Proceedings

3.1 Charge

3.2 Jurisdiction of the Criminal Courts in Inquiries and Trials

3.3 Types of Trials: Sessions Trial, Warrant Trials, Summons Trial, Summary Trial

3.4 Judgement and Sentences under the Code

3.5 Submission of Death Sentences for confirmation

3.6 General provisions as to Inquiries and Trials

3.7 Execution, Suspension, Remission and Commutation of Sentences

UNIT- IV Appeal Reference and Revision

4.1 Appeals, Reference and Revision

4.2 Inherent Power of Courts

4.3 Transfer of Criminal Cases

4.4 Plea Bargaining

UNIT- V Reforms

5.1 The Code of Criminal Procedure (Amendment Act) 2005

5.2 Criminal Law (Amendment Act) 2013

5.3 Substantive provisions-

a. Maintenance of wives, children and parents

b. Security for keeping the peace and for good behaviour

Note: The above units will include whole Act with recent amendments and the study of important updated relevant cases decided by the Judiciary.

Selected Bibliography

1. Ratanlal & Dhirajlal, Criminal Procedure
2. S.C. Sarkar, The Law of Criminal Procedure
3. N.V. Parajape, Criminal Procedure Code
4. R.V. Kelkar, Outlines of Criminal Procedure Code
5. M.P. Tandon, Code of Criminal Procedure

B.A. LL.B. (Hons.) Semester – VIII

CIVIL PROCEDURE CODE -I

Core Course LBC802

Credit 04

Continuous Evaluation 40 marks

Term End Examination 60 marks

Unit – I

1. History of the code, Title Extent and Commencement.
2. Definitions
3. General Provisions Regarding to subordination of Courts
4. Application of the Code
5. Jurisdiction of the Courts
6. Res Subjudice
7. Res Judicata

Unit - II

1. Bar to further suit
2. Foreign Judgment
3. Place of Suing
4. Transfer of Suits
5. Institution and Parties of Suits
6. Frame of Suit
7. Summons

Unit –III

1. Pleadings Generally
2. Plaint
3. Written statement set off & Counter –Claim)
4. Appearance of Parties and Consequence of non-appearance
5. Examination of the parties by the court
6. Discovery
7. Interrogatories
8. Inspection

Unit - IV

1. Admissions
2. Production, Impounding and Return of documents
3. Settlement of Issues

4. Disposal of Suit at the First hearing
5. Adjournment
6. Hearing of the suit and examination of witness
7. Affidavit

Unit - V

1. Judgment and Decree
2. Interest and costs
3. Execution of decrees and orders
4. Death, Marriage and insolvency of Parties
5. Withdrawal and adjustment of suits and payment into court
6. Commissions
7. Suits by or against the (Government) or public officers in their official Capacity

Note- The above units will include whole Act with recent amendments and the study of important updated relevant cases decided by the judiciary.

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. Dr. Basantilal Babel : Civil Procedure 1908

B.A. LL.B. (Hons.) Semester – VIII

GENDER JUSTICE & FEMINIST JURISPRUDENCE

Core Course LBC803

Credit 04

Continuous Evaluation 40 marks

Term End Examination 60 marks

UNIT – I Gender justice

1. Concept of gender justice, gender discrimination and gender equality.
2. Emergence of feminism and feminist jurisprudence,
3. Role of law in empowering women
4. Indian tradition and family ideology: growth of feminism

UNIT – II : Women in Pre- Independence India and post independence India

1. Social and legal inequality
2. Social reform movement in India
3. Gandhian movement/Nehru's views- joint family etc.
4. Karachi congress- Fundamental Rights Resolution
5. Gender justice under Constitution of India Article 14,15,16,21&23– Equality provisions in fundamental Rights , Directives principles of State Policy.
6. Negative Aspects of the Constitutions – Exploitation of sex not mentioned in Article 23.
7. Reservation for women in local self bodies (Article 243-D and 243-T)
8. Different personal laws- unequal position of women
9. Uniform Civil Code towards gender justice

UNIT –III: Sex Inequality in Inheritance Rights

1. Continuance of feudal Institutions of joint family – women's inheritance position under Hindu Law
2. Inheritance right of women under Christian law

3. Inheritance right of women under Parsi law
4. Inheritance right of women under Muslim law
5. Movement towards uniform Civil Code
6. Matrimonial Property
7. Separation of property
8. Maintenance different system of personal law
9. Division of assets on divorce

UNIT-IV: Social Welfare Laws for women

Non-implementation of protective labour legislation

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

UNIT-V: Crime Against Women

1. Adultery
2. Rape
3. Dowry death/ Dowry prohibition
4. Cruelty to married women
5. Bigamy
6. Domestic Violence
7. Sexual Harassment
8. Female foeticide.

Note: The above units will include whole Acts with recent amendments and the study of important updated relevant cases decided by the Judiciary.

Selected BiL Biography

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

B.A. LL.B. (Hons.) Semester – VIII

CRIMINOLOGY, PENOLOGY & VICTIMOLOGY (OPTIONAL)

Elective Course LBE801

Credit

04

Continuous Evaluation 40 marks

Term End Examination 60 marks

UNIT-I

Criminology

- 1.1 The concept of crime
- 1.2 Nature and scope of criminology
- 1.3 Causation of crime
- 1.4 Theories of criminology
- 1.5 Schools of criminology

UNIT-II

- 2.1 Organised crimes
- 2.2 White collar crimes
- 2.3 Cyber crimes
- 2.4 Alcoholism and crime
- 2.5 Drug addiction and crime
- 2.6 Recidivism

UNIT-III

Penology

- 3.1 Punishment- meaning ,definition & historical background

- 3.2 Kinds of punishment and judicial sentencing under IPC
- 3.3 Forms of punishment
- 3.4 Capital punishment
- 3.5 The Police system

UNIT-IV

Criminal administration

- 4.1 Probation
- 4.2 The prison administration
- 4.3 Parole
- 4.4 Juvenile delinquency

UNIT – V

Victimology

- 5.1 Meaning, definition and concept of victimology
- 5.2 Historical perspective
- 5.3 Theories of victimology
- 5.4 Restorative justice of crime victims
- 5.5 Provisions relating to victims of crime

Note: The above units will include all recent amendments and the study of important updated relevant cases decided by the judiciary.

Select BiL Biography:

- 1.Sutherland : Principles of Criminology

2.Ahmad Siddique : Criminology – Problems and Perspectives.

3.N V Pranjape : Criminology, Penology and victimology

4.Bansanti Lal Babel : Apradh Shastra

5.J D Sharma : Vidhi Vigyan

B.A. LL.B. (Hons.) Semester – VIII

MEDICAL JURISPRUDENCE

Elective Course LBE802

Credit 04

Continuous Evaluation 40 marks

Term End Examination 60 marks

Unit- I: Introduction

- 1.1 Definition
- 1.2 Importance of Medical Jurisprudence
- 1.3 Order of proceeding in a Medico-legal case
- 1.4 The Coroner's Inquest
- 1.5 The Criminal Court, Medical Evidence and Experts

Unit-II

- 2.1 Dying Declaration under Medico-Legal studies
- 2.2 Phenomena and Signs of Death
- 2.3 Molecular and Somatic Death
- 2.4 Signs of Death: Rigor Mortis
- 2.5 Signs of Death: Putrefaction

Unit-III

- 3.1 Medico-Legal Investigations-The post- Mortem
- 3.2 Presumption of Death and of Survivorship
- 3.3 Personal Identity: Identification of the living, Personal appearance
- 3.4 Causes Producing Violent Death
- 3.5 Death from Wounds

Unit-IV

- 4.1 Gunshot Wounds
- 4.2 Examination of Blood Stains
- 4.3 Examination of Burns and Scalds
- 4.4 Death from Different Forms of Apnea (Asphyxia)
- 4.5 Death from Suffocation: Accidental, Suicidal and homicidal

Unit-V

- 5.1 Death by Strangulation: Mark of cord
- 5.2 Death by Hanging: cause of death
- 5.3 Death by Drowning: Mode of death
- 5.4 Death by Lightning: Medico-legal relation
- 5.5 Death from Heat and cold: Post Mortem Appearances
- 5.6 Death by Starvation: Symptoms and Post-Mortem signs

Note: The above Units will include all recent amendments and the study of important updated relevant cases decided by the Judiciary.

Select BiLBiography

1. Jhala & Raja : Medical Jurisprudence
2. Lyon, I.B. : Medical Jurisprudence for India
3. Modi, N.J. : Textbook of Medical Jurisprudence &
Toxicology
4. Parikh : Textbook of Medical Jurisprudence &
Toxicology
5. Taylor, A.S. : Medical Jurisprudence
6. John J. Reese : Medical Jurisprudence & Toxicology

B.A. LL.B. (Hons.) Semester – VIII

PROFESSIONAL ETHICS, ACCOUNTABILITY FOR LAWYERS & BAR- BENCH RELATIONS (CLINICAL COURSE)

Skill Course LBS801

Credit 04

Continuous Evaluation 40 marks

Term End Examination 60 marks

Unit-I Introduction

This paper shall consist of the following:

1. History and development of legal education in India.
2. History and development of Legal Profession in India.
3. The Indian Stamp Act, 1899.

Unit-II The Bar Council of India Rules (Published in the Gazette of India on 6th Sept. 1975 in Part-III, Section 4) (As amended upto date) The details of these Rules shall be as follows:

Matters Relating to the Bar-Council of India :

- (i) Election of the Members, etc.
- (ii) Meeting of the Council, etc.
- (iii) Constitution, functions and Procedure of committees of the Bar Council of India.
- (iv) Qualification and conditions of service of the Secretary etc.
- (v) Rules relating to Finance.
- (vi) Removal of name from Roll Procedure.
- (vii) Additional qualifications for enrolments.

- (viii) Revision and Review.
- (ix) Orders of the Bar Council of India.

Unit-II Matters Relating to State Council :

- (i) Electrol Roll etc.
- (ii) Rules to Secure atleast minimum number of advocates of 10 years standing,
- (iii) Transfer of name,
- (iv) Seniority in the State Rolls.
- (v) Special provision for enrolment of certain Supreme Court Advocates.
- (vi) Resrictions on Senior Advocates.
- (vii) Standard of professional conduct and ettiquette.
- (viii)Condition for right to practice.
- (ix) Form of Dresses or Robes to be norm by Advocates.
- (x) Complaint against Advocates and procedure to be followed by Disciplinary committees.
- (xi) Levy of fee rules.
- (xii) Right principles to be followed by the Bar.
- (xiii)Right of Practicing Act taking up teaching assignment - Rules regarding.

Any other rules when may be framed by the Bar Council of India/Bar Council of State from time to time.

Unit-III Professional Ethics: This topic shall consist of the following:

The Advocates Act, 1961 Official Secret Act, 1923

- (i) Sources and sanctions of legal ethics.
- (ii) Honesty towards client;
- (iii) Fairness to the opponent,
- (iv) Respect to opponent.
- (v) Respect to outs.
- (vi) Industry and hard work.
- (vii) Professional fraternity including avoiding competition and unfair practices in obtaining work like touting and advertising.

Unit-IV 1. The Power of Attorney Act, 1882.

2. The Court Fee Act, 1870.

3. Suits Valuation Act - 1887

Unit-V

The Contempt of Courts Act, 1971.

Note: The above units will include whole Acts with recent amendments and the study of important updated relevant cases decided by the Judiciary.

SELECT BIBLIOGRAPHY

- 1. C.L. Anand : Principles of Legal Ethics.
- 2. N.R. Madhva Menon : Clinical Legal Education.
- 3. M.P. Jain : Indian Legal History (Relevant Portion of legal profession).
- 4. International Bar Association : Challenges to the legal Profession, Law and Investment in Developing Countries.

5. Malik P.L. : Indian Stamp Act, 1899
6. S.M. Hasan : Law of Court Fees and Valuation.
7. Keith Evans : Golden Rules of Advocacy
(Universal Law PuLBication)
8. G.C. Venkata Subba Rao : Contempt of Courts Act. 1971.

Comprehensive *Viva-Voce*

Credit 04

Comprehensive *viva-voce* of 4 virtual credits will be conducted at the end of each semester of the programme by a board of examiners. The grades awarded in the viva-voce shall be shown separately in the grade-sheet.