

SYLLABUS OF LL.B. 5th Sem (3 Year)

CIVIL PROCEDURE CODE AND LIMITATION ACT (Paper Code : K-501)

The Course shall comprise of the following :

- (1) Preliminary, Definitions, Suits of civil nature, Principles of Res-judicata and Res-subjudice, Foreign judgement, place of suing.
- (2) Parties to suit, Frame of suit, Pleading : Plaintiff, Written statement, Set-off, Counter claim, Suits by indigent persons, Suits in particular cases.
- (3) Summons and Discovery, Issues of Summons, Appearance of parties, Summoning and Attendance of witness, Execution of Decrees.
- (4) Incidental proceedings : Commission, Letter of request, Supplemental proceedings ; Arrest and Attachment before judgement, Temporary injunction, Interlocutory orders, Receiver appeals, References, Review, Revision, Restitution, Caveat, Inherent powers of court.
- (5) Limitation of suits, appeals and applications, Period of Limitation, Continuous running of time, Effect of sufficient cause for not preferring appeals or making applications within the period of limitation, Legal disability, Computation of period of Limitation and Execution of time in legal proceedings, Effect of Death, Fraud, Acknowledgement in writing, Acquisition of ownership by possession.

PAPER - II
LAW OF CRIMES - II
(CODE OF CRIMINAL PROCEDURE, JUVENILE JUSTICE ACT AND
PROBATION OF OFFENDERS ACT)
(Paper Code : K-502)

The course shall comprise of the following :

- (1) Constitution of Criminal Courts and their Powers
- (2) Arrest of Persons and the Rights of Arrested Persons : Meaning of Arrest, Powers of Police to Arrest, Bail.
- (3) Information to the Police and their Powers to Investigate
- (4) Cognizance of Offences by the Magistrate and Court of Sessions.
- (5) Complaints to Magistrates and Commencement of Proceedings before Magistrates.
- (6) The Charges :
 - (a) Forms of Charges,
 - (b) Joinder of Charges
- (7) Trials of the Cases :
 - (a) Sessions Trial,
 - (b) Warrant Trial
 - (i) Cases Instituted upon a Police Report
 - (ii) Cases Instituted Otherwise than on a Police Report
 - (iii) Conclusion of Trial
 - (c) Summons Trial by Magistrates,
 - (d) Summary Trial
- (8) Juvenile Justice (Care & Protection of Children) Act, 2002; Probation of Offenders Act, 1958 along with Section 360 of Criminal Procedure Code.

PAPER – III
LAW OF EVIDENCE
(Paper Code : K-503)

The course shall comprise of the following :

- (1) Fact In-Issue; Relevant Facts; Document
- (2) Evidence : Proved; Disproved; Not proved;
- (3) May Presume, Shall Presume, and Conclusive Proof
- (4) Circumstantial Evidence
- (5) Relevancy and Admissibility; Res Gestae (Sections 6 to 13)
- (6) Admission ; Confession (Sections 17 to 31)
- (7) Dying Declaration (Section 32(1))
- (8) Relevancy of Judgments (Sections 40 to 44)
- (9) Opinion of Experts; Opinion of Third Persons (Sections 45 to 47)
- (10) Conduct and Character of Parties (Sections 52 to 55)
- (11) Judicial Notice (Sections 56 to 57)
- (12) Hsoppel (Sections 115 to 116)
- (13) Means of Proof : Oral Evidence; Documents - Public Document, Private Document, Primary and Secondary Evidence; (Sections 59 to 65 and 74 to 78); Exclusion of Oral by Documentary Evidence (Sections 91 to 92)
- (14) Burden of Proof (Sections 101 to 106)
- (15) Witnesses : Competency and Compellability of Witnesses; Examination of Witnesses; Privileges : State Privilege and Private Privilege (Sections 118 to 155).

PAPER – IV
LAND LAWS INCLUDING CEILING AND OTHER LOCAL LAWS
(Paper Code : K-504)

The course shall comprise of the following :

- (1) **U.P. Zamindari Abolition and Land Reforms Act, 1950**
- (i) The Political, social and economic factors responsible for the Z.A. & L.R. Act, 1950 and its objects.
- (2) Definitions of (i) Agricultural Year (ii) Date of vesting (iii) Estate (iv) Intermediary (v) Khud Kasht Land (vi) Sir.
- (3) Acquisition of the interests of intermediaries and its consequences - Sections 4-26, with emphasis on Sections 4-9.
- (4) Mines and Minerals - Sections 106-112.
- (5) Gaon Sabha - Power and Duties - Sections 117-128
- (6) **Tenure**- (a) Classes of Tenure - Section 129
- (i) Bhumidhar with transferable rights. (ii) Bhumidhar with Non-transferable rights.
- (iii) Asami.
- (b) Their rights and liabilities:
- (i) Use of land and improvements- Sections 142-146 (ii) Transfer - Sections 152-167.
- (iii) Devolution - Sections 169-175. (iv) Division - Sections 176-182.
- (v) Surrender, Abandonment, extinction and acquisition Sections 183-198 A.
- (vi) Ejectment - Sections 199-212 C.
- (7) Declaratory Suit - Sections 229-229 D.
- (8) Land Revenue and Collection of Land Revenue- Sections 241-294.
- (2). **U.P. Land Revenue Act 1901**
- (1) Maintenance of Maps and Records - Sections 21-47 (2) Revision of Maps and Records - Sections 47-48 (3) Appeals, Reference, Revision, Review - Sections 210-223.

PAPER - V
DRAFTING OF PLEADING AND CONVEYANCING
(Practical Training)
(Paper Code : K-505)

This paper will carry **Maximum 100 Marks** which will be divided into **Theory Paper** and **Practical / Viva-voce examination carrying 50 Marks each**. The Theory paper will be conducted at the time of other Theory papers. This course will be taught through class instructions and simulation exercises, preferably with the assistance of practicing Lawyers / retired Judges. Apart from teaching the relevant provisions of law, the course will include **10 written exercises in Drafting of Pleading carrying 20 Marks (2 Marks for each exercise)** and **10 written exercises in Conveyancing carrying 20 Marks (2 Marks for each exercise)**. Each student will maintain a **Sessional Exercise Book** for the purpose and write down all the exercise in Pleading and Conveyancing during regular classes. **It will be assessed by the Board of Practical / Viva-voce Examiners. The Viva-voce will be of 10 Marks.**

The course shall comprise the following :

I. Drafting :

General Principles of Drafting and Relevant Substantive Rules shall be taught.

II. Pleadings :

(1) Civil

(a) Plaint

(c) Interlocutory Application

(e) Affidavit

(g) Memorandum of Appeal

(i) Petition under Articles 226 and 32 of the Constitution of India.

(b) Written Statement

(d) Original Petition

(f) Execution Petition

(h) Memorandum of Revision

(2) Criminal

(a) Complaints

(c) Bail Application

(b) Criminal Miscellaneous Petition

(d) Memorandum of Appeal and Revision.

III. Conveyancing : Essentials of Deed, Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Agreements.