

**RAJESH PANDEY COLLEGE OF LAW**

ILLFATGANJ ROAD AKBARPUR AMBEDKAR NAGAR (U.P.)

AFFILATED TO

**DR. RAM MANOHAR LOHIA AWADH UNIVERSITY, AYODHYA (U.P.)**

**SYLLABUS**

**OF**

**B.A.LL.B. (Hons.)  
(FIVE YEAR INTEGRATED)**

# **B.A.LL.B. 8<sup>th</sup> SEMESTER**

- I. Political Science-IV**
- II. Law of Evidence**
- III. Civil Procedure Code and Limitation Act**
- IV. Law and The Child**
- V. Criminal Procedure Code-II [Including Juvenile Justice (Care and Protection of Children) Act, 2000 and Probation of Offenders Act]**
- VI. Practical Training: (Pleading, drafting and conveyancing)**

**B.A.LL.B. Eighth Semester**

**PAPER-I**

**Maximum Marks: 100**

**Political Science – IV (Public Administration)**

**UNIT-I**

Definition Nature and scope of Public Administration, Importance of Public Administration in modern states with special emphasis on Development Administrative Chief Executive Organization and Departments

**UNIT-II**

Line and Staff Agencies

**UNIT-III**

Public corporation and Independent Regulatory

Commission Bureaucracy Recruitment training.

**UNIT-IV**

Promotion, Planning, Budgeting

**UNIT-V**

Control over Public Administration-Executives, Legislative and Judicial  
Decentralized Administration

**B.A.LL.B. Eighth Semester**

**PAPER-II**

**Maximum Marks: 100**

**Law of Evidence (The Indian Evidence Act, 1861)**

**UNIT-I**

The main features of Indian Evidence Act, 1861.

Concepts in Law of Evidence-Facts, relevant facts and facts in issue distinction. Evidence-oral and documentary, circumstantial evidence and direct evidence. Presumption.

'Proving', 'not proving' and 'disproving' Witness.

Appreciation of evidence Doctrine of res gestae Evidence of common intention Problems of relevancy of 'otherwise' irrelevant Relevant facts for proof of custom Facts concerning body and mental state.

**UNIT-II**

General principles concerning admission and confession Distinction between 'admission' and 'confession'

Problems of non-admissibility of confessions caused by 'any inducement, threat or promise'

Inadmissibility of confession made before a police officer Admissibility of custodial confessions.

Dying declaration-the justification for relevance on dying declaration

Appreciation of evidentiary value of dying declaration.

**UNIT-III**

Expert witness Who is an expert? Types of expert evidence Opinion on relationship especially proof of marriage The problems of judicial defence to expert testimony General principles concerning oral evidence General principles concerning documentary evidence



**B.A.LL.B. Eighth Semester**

**PAPER-III**

**Maximum Marks: 100**

**Civil Procedure Code and Limitation Act**

**UNIT-I**

Definition-decree, judgment, decree holder, judgment debtor, mesne profits.  
Jurisdiction-jurisdiction of civil courts Suits of civil nature.

Place of suing-general principle-pecuniary jurisdiction, territorial jurisdiction and jurisdiction as to subject-matter.

**UNIT-II**

Res sub judice-nature and scope; object; conditions; sub res judice and res judicata.

Res judicata-nature and scope; object; res judicata and rule of law; res judicata and estoppel.

Suits by indigent person, minor, insane person, and corporation.

Pleading-definition; basic and general rules of pleadings; plaint and written statement; set off and counter-claim.

Issues-meaning and importance of issues; framing of issues; kinds of issues. Trial-general; summoning and attendance of witness.

Adjournment-discretion of court; when granted and when refused.

**UNIT-III**

Judgment-definition; essentials; judgment and decree; contents of judgment; alteration in judgment.

Decree-meaning; essentials; contents of decree; classes of decree; decree and order.

Execution-meaning; nature and scope; execution proceedings under the CPC; application for execution-who may apply? Against whom application may be made?-To whom application may be made?-contents of application; procedure for hearing application; stay of execution; mode of execution. Arrest and detention. Attachment of property. Sale and delivery of property.

## **UNIT-IV**

Appeal-first and second appeal-meaning; essentials; right of appeal; no second appeal lies in certain cases.

Appeals from orders.

Order-meaning; nature and scope.

Reference-nature and scope; object; Who may apply?; powers and duties of referring court; reference and appeal; reference and review; reference and revision.

Review-meaning; nature and scope; object; Who may apply?; grounds. Review-meaning; nature and scope; Who may apply?; grounds.

## **UNIT-V**

Limitation-meaning; nature and scope of the law of limitation. Bar of limitation and its efficacy.

Sufficient cause-meaning and applicability.

Legis disability-meaning, scope and effect.

Computation of period of limitation and exclusion of time in legal proceedings.

Computation of period of limitation in certain cases-death, fraud or mistake, acknowledgement in writing, and part-payment.

## **ACTs**

Code of Civil Procedure,  
1908. Indian Limitation Act.

## **BOOKs**

C.K. Thakkar, Civil Procedure Code, (EBC, Lucknow).

Mulla, Code of Civil Procedure, (Universal,  
Delhi). Sarkar's Law of Civil Procedure

**B.A.LL.B. Eighth Semester**

**PAPER-IV**

**Maximum Marks: 100**

**Law and the Child**

**UNIT-I**

**Social, Constitutional and International Legal Status of Child:**

Significance, scope and magnitude of the problem  
Special status of child-national policies

Constitutional concern-Articles 15 (3), 24, 39 (e) and (f)

International concern and endeavor for the welfare of children: Minimum Wage convention; Child Rights Convention; and U.N. Declaration of the Rights of the Child

**UNIT-II**

**Problems of Conception, birth:**

Legal status of the child in the womb  
Sex selection: foeticide and infanticide

Tortious liability against injuries to unborn children  
Coparcenary and property rights of the unborn children  
Law relating to maternity benefit and relief

**UNIT-III**

**Family Relations and Child and Legal Control of Child Labour:**

The status of a child matters of marriage, legitimacy, guardianship, adoption, maintenance and custody.

Statutory provisions regarding child marriage, guardianship, adoption and maintenance  
Regulation of the employment of children in various occupations  
Recommendations of the ILO and statutory protection



## UNIT-IV

### **Contractual and criminal Liability:**

Minor's agreement: nature, rationale

Liability in beneficial contracts

Testimony of children

Crimes committed by child; crimes committed by others in relation to children

Judicial proceedings in criminal cases

Statutory provisions: Sections 82, 83, 299 Explanation 3, 363A, 372 and 376 IPC; Penal provisions contained in the Child Marriage Restraint Act, 1929; Young Persons Harmful Publication Act, 1956; and Juvenile Justice Act, 2000

## UNIT-V

### **Law and Offences against Child:**

Juvenile Justice Act

Provision for the protection of neglected children

Institutions for the protection of neglected children

Child Welfare Boards and Juvenile Courts: constitution, powers, duties and functions

Protection of girls from immoral traffic

Prevention of vagrancy and beggary

### **BOOKS**

S.K. Awasthi: Juvenile Justice Act, 1986

Indian Law Institute: Child and the Law

Indian Law Institute: Treatise on the Juvenile Justice Act

P.L. Mehta and S.S. Jaswal: Child Labour and the Law

L.S. Shastri: Child Marriage Restraint Act, 1929

**B.A.LL.B. Eighth Semester**

**PAPER-V**

**Maximum Marks: 100**

**Criminal Procedure Code – II [Including Juvenile Justice (Care and Protection of Children) Act, 2000 and Probation of Offenders Act]**

**UNIT-I**

Trial before a Court of Session-initial steps, evidence for prosecution, steps to follow the prosecution evidence; evidence for the defence, steps to follow the defence evidence; judgment and connected matters.

Trial of warrant cases by Magistrates (Cases instituted on a police report and cases instituted otherwise than on a police report)-initial steps in the trial, evidence for prosecution-steps to follow the prosecution evidence; evidence for defence-steps to follow the defence evidence; judgment and connected matters.

Trial of summons cases and summary trial-steps in the trial; hearing of the prosecution cases, personal examination of the accused; hearing of the defence case; acquittal or conviction

Offences triable in a summary way; procedure to be followed in summary trials; judgment in cases tried summarily.

**UNIT-II**

Security for keeping peace and good behaviour  
Public nuisances and disputes as to immovable property.  
Maintenance of public order and tranquility  
Maintenance of wives, children and parents.  
Plea bargaining.

**UNIT-III**

Appeal

Reference

Revision



**B.A.LL.B. Eighth Semester**

**PAPER-VI**

**Maximum Marks: 100**

**Practical Training: Pleading, drafting and conveyancing**

This course will taught 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 15 exercises in Drafting carrying to total of 45 marks and 15 exercises in conveyancing carrying another 45 marks (3 marks for each exercises) as detailed below :-

**(A) Drafting:-**General Principles of drafting and relevant substantive rules shall be taught.

**(B) Pleading:-**

**1. Civil-** (i) Complaint, (ii) Written statement, (iii) Interlocutory application, (iv) Original Petition, (v) Execution petition & (vi) Memorandum of appeal and revision (vii) Petition under article 226 & 32 of the Constitution of India.

**2. Criminal-** (i) Complaints, (ii) Criminal miscellaneous petition, (iii) Bail application and (iv) Memorandum of appeal and revision.

**(C) Conveyancing:-** (i) Sale deed, (ii) Mortgage deeds, (iii) Lease deed, (iv) Gift deed, (v) Promissory note, (vi) Power of attorney, (vii) Will