

SARDAR PATEL UNIVERSITY
VALLABH VIDYANAGAR
LLB CBCS: 5th SEM
(Structure & Detailed Syllabus)
LL. B (CBCS)
Three years' semester -V

SEM.	COURSE	COURSE CODE	COURSE TITLE	Credit (hrs-week)	Duration of exam hrs	Internal Exam/Clinical practical	External exam marks
SEMESTER-V (w.e.f.-July 2020)	Core Compulsory	UL05CLLB21	Law of Crimes Paper-II : Criminal Procedure Code	4	2	30	70
		UL05CLLB22	Law of Evidence	4	2	30	70
		UL05CLLB23	Civil Procedure Code and Limitation Act	4	3	30	70
		UL05CLLB24	Practical Paper-1: Moot Court exercise and Internship	4	3	50	50
	Subject Elective	UL05ELLB21	Practical Paper-2: Alternative Dispute Resolution	4	3	50	50
	Total				20	13	Total 190 +310= 500

SARDAR PATEL UNIVERSITY
VALLABH VIDYANAGAR
FACULTY : LAW LL.B. (CBCS)

SEMESTER : V (w.e.f. June, 2020)

Course Code: UL05CLLB21	Course Title: Law of Crimes Paper-II Criminal Procedure	
Course Credit : 04	Code	Course Type : Core compulsory
Examination Marking Scheme		
Internal(Marks)	External(Marks)	Total(Marks)
30	70	100

UNIT	DESCRIPTION IN DETAIL	CREDIT	WEIGHTAGE
1	<p><u>INTRODUCTION</u></p> <p>1.1 Introductory, History and development 1.2 Definitions, conference reference, Trail of offence under IPC 1.3 Constitution & Powers of Criminal Courts & Offices 1.4 Power of superior officers of police and Arrest of Persons & Rights of arrested persons. 1.5 Jurisdiction of criminal courts in inquiry & trails. 1.6 Processes to Compel appearance of persons and productions of things 1.6.1 Summons 1.6.2 Warrant 1.6.3 Proclamation & Attachment of Property 1.6.4 Processes to Compel production of things 1.6.5 Summons to Produce & Search Warrants 1.6.6 General provisions relating to Search 1.7 Reciprocal arrangement for transfer of person and attachment and forfeiture of property</p>	1	25 %
2	<p><u>PRE-TRIAL PROCEEDINGS</u></p> <p>2.1 Information to Police & their Powers to investigate 2.2 Jurisdiction of Criminal Courts in Inquiries & Trials 2.3 Conditions requisite for Initiation of proceedings 2.4 Complaints to Magistrates Security for keeping the peace and for good behavior. 2.5 Charge. 2.6 Maintenance of wife, children and parents 2.7 Maintenance of public order and tranquility 2.8 Commencement of proceedings before Magistrates</p>	1	25 %

3	<p><u>TRIAL PROCEEDINGS</u></p> <p>3.1 Framing of Charge & Joinder of Charge 3.2 Trial before a Court of Session 3.3 Trial of Warrant cases by Magistrates 3.4 Trial of Summons cases by Magistrates 3.5 Summary Trials 3.6 Evidence in Inquiries & Trials & General provisions 3.7 Attendance of persons confined or detained in prisons</p>	1	25 %
4	<p><u>MISCELLANEOUS</u></p> <p>4.1 Provision as to accused persons of unsound mind 4.2 Offence effecting administration of justice the judgment 4.3 Submission of death sentences for conformation 4.4 Appeals 4.5 Reference & Revision 4.6 Transfer of Criminal cases & Execution, Suspension, Remission & Commutation of Sentences 4.7 Irregular Proceedings & Limitation for taking Cognizance of certain offences 4.8 Plea Bargaining 4.9 Provision as to bail and bond 4.10 Disposal of property 4.11 Irregular proceedings 4.12 Limitation of taking cognizance of certain offences miscellaneous</p>	1	25 %

Reference books		
1	The Code of Criminal Procedure	- Ratanlal&Dhirajlal
2	Criminal Procedure code	- D.D. Basu
3	Criminal Procedure code	- M.P.Tandon
4	Criminal Procedure code	- Misra
5	Criminal Procedure code	- Dr. Myneni
6	Criminal Procedure code	- S.N.Misra

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FACULTY: LAW LL.B. (CBCS)

SEMESTER : V (w.e.f. June, 2020)		
Course Code: UL05CLLB22	Course Title: Law of Evidence	
Course Credit : 04	Course Type : Core compulsory	
Examination Marking Scheme		
Internal(Marks)	External(Marks)	Total(Marks)
30	70	100

UNIT	DESCRIPTION IN DETAIL	CREDIT	WEIGHTAGE
1	<p><u>INTRODUCTION</u></p> <p>1.1 Definitions – Court, Fact, Fact in Issue, Relevant, Evidence, Kinds of Evidence, Document, Proved, Disproved & Not Proved, Oral, Documentary & Hearsay Evidence</p> <p>1.2 Standard or Degree of Proof in Civil / Criminal Proceeding</p> <p>1.3 May presume, Shall Presume & Conclusive Proof</p> <p>1.4 “Proving”, “Not proving” and “Disproving”</p> <p>1.5 Evidence of common intention</p> <p>1.6 Lex Fory</p> <p><u>RELEVANCY OF FACTS</u></p> <p>1.7 Res Gestae</p> <p>1.8 Facts which are Occasion, Cause & Effect</p> <p>1.9 Motive, Preparation & Conduct</p> <p>1.10 Explanatory or Introductory facts & Test Identification Parade</p> <p>1.11 Evidence to Prove Conspiracy</p> <p>1.12 Inconsistent Facts (Plea of Alibi)</p> <p>1.13 Relevant facts for proof of custom</p>	1	25 %
2	<p><u>ADMISSIONS & CONFESSIONS</u></p> <p>2.1 Definition of Admission</p> <p>2.2 Persons whose Admissions are Relevant & Against Whom Admission may be Proved</p> <p>2.3 Admissions how far Relevant & Evidentiary Value of Admissions</p> <p>2.4 Definition & Evidentiary Value of Confession</p> <p>2.5 Confessions carrying Inculpatory & Exculpatory Statements</p> <p>2.6 Extra Judicial Confession, Confession caused by Threat, Confession to Police & Confession of Co-accused</p> <p>2.7 Admissibility of judgments in civil and criminal matters</p>	1	25 %

3	<p><u>STATEMENTS BY PERSONS WHO CANNOT BE CALLED AS WITNESSES -32 (1) to 32 (8)</u></p> <p>3.1 Dying Declaration – Essentials & Evidentiary Value 3.2 Relevancy of Evidence in General Principles & Prior Judicial Proceeding 3.3 Statements made under Special Circumstances 3.4 Judgments of Court when Relevant 3.5 Opinions of third persons when Relevant 3.6 Opinion of third person when relevant (Expert Testimony) 3.7 Types of expert evidence 3.8 The problems of judicial defence to expert testimony 3.9 Character when Relevant</p> <p><u>PROOF</u></p> <p>3.10 Facts which need not be proved 3.11 Oral Evidence 3.12 Documentary Evidence 3.13 Admissibility of Electronic Record 3.14 Exclusion of Oral by Documentary Evidence 3.15 Opinion on relationship especially proof of marriage</p>	1	25 %
4	<p><u>PRODUCTION & EFFECT OF EVIDENCE</u></p> <p>4.1 Burden of Proof 4.2 Survivorship & Death 4.3 Presumptions 4.4 Estoppel 4.5 Witnesses & Privileged Communications 4.6 Examination of Witnesses 4.7 Competency of witnesses</p>	1	25 %

Reference books		
1	The Evidence Act	-Ratanlal & Dhirajlal
2	Principle of Evidence Act	-Dr. Avatar Singh
3	Law of Evidence	-Sarkar & Ejaz
4	Evidence Act	-Batuklal
5	Law of Evidence	-Vepa P. Sarathi
6	Law of Evidence	-M.V. Chaturvedi

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FACULTY : LAW LL.B. (CBCS)

SEMESTER : V (w.e.f. June, 2020)		
Course Code: UL05CLLB23	Course Title: Civil Procedure code and Limitation Act	
Course Credit : 04	Course Type : Core compulsory	
Examination Marking Scheme		
Internal(Marks)	External(Marks)	Total(Marks)
30	70	100

UNIT	DESCRIPTION IN DETAIL	CREDIT	WEIGHTAGE
1	1.1 Introduction, Concepts and Definitions 1.2 Affidavit, order, judgment, decree, plaint, restitution, execution, decree-holder, Judgment-debtor, mesne profits, written statement. Distinction between decree and judgment and between decree and order. 1.3 Jurisdiction 1.4 Kinds Hierarchy of courts 1.5 Suit of civil nature - scope and limits 1.6 Res sub-judice and Res Judicata 1.7 Foreign judgment - enforcement 1.8 Place of suing 1.9 Institution of suit 1.10 Parties to suit: joinder, mis-joinder or non-joinder of parties: representative suit. 1.11 Frame of suit: cause of action 1.12 Alternative disputes resolution (ADR) 1.13 Summons 1.14 Pleadings 1.15 Rules of pleading, 1.16 Signing and verification 1.17 Alternative 1.18 Pleadings 1.19 Construction of pleadings 1.20 Plaint: particulars 1.21 Admission, return and rejection 1.22 Written statement: particulars, rules of evidence 1.23 Set off and counter claim: distinction 1.24 Discovery, inspection and production of documents. 1.25 Interrogatories 1.26 Privileged documents 1.27 Affidavits	1	25 %
2	2.1 Appearance, Examination and trial 2.2 Appearance Ex-parte procedure 2.3 Summary and attendance of witnesses, Trial 2.4 Adjournments Interim orders: commission, arrest or attachment before judgment, 2.4 Injunction and appointment of receiver 2.5 Interests and costs 2.6 Execution 2.7 The concept	1	25 %

	2.8 General principles 2.9 Power for execution of decrees 2.10 Procedure for execution 2.11 Enforcement, arrest and detection 2.12 Attachment 2.13 Sale 2.14 Delivery of property 2.15 Stay of execution 2.16 Suits in particular cases 2.17 By or against government 2.18 By aliens and by or against foreign rulers or ambassadors 2.19 Public nuisance 2.20 Suits by or against firm 2.21 Suits in forma pauperis		
3	3.1 Appeals 3.2 Appeals from original decree 3.3 Appeals from appellate decree 3.4 Appeals from orders 3.5 General provisions relating to appeal 3.6 Appeal to the Supreme Court 3.7 Review, reference and revision 3.8 Miscellaneous 3.9 Transfer of cases 3.10 Restitution 3.11 Caveat 3.12 Inherent powers of courts	1	25 %
4	All Provisions of Indian Limitation Act.	1	25 %

Reference books

1	Civil Procedure Code	- Mulla
2	Civil Procedure Code	- Sarkar
3	Civil Procedure Code	-S.P. N. Singh
4	Civil Procedure Code	-T.P. Tripathi
5	Civil Procedure Code	- C. K. Takwani
6	Civil Procedure Code	-Rao
7	Law of limitation	-B .B. Mitra
8	Law of limitation	-Desai
9	Law of limitation	-D. N.R. Panday
10	Law of limitation	- C.K.Takwani

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FACULTY: LAW LL.B. (CBCS)
SEMESTER : V (w.e.f. June, 2020)

Course Code: UL05CLLB24 Course Credit : 04	Course Title: Practical Paper-1: Moot Court exercise and Internship Course Type : Core compulsory
Examination Marking Scheme	
Internal(Marks)	External(Marks)
50	50
Total(Marks)	
100	

UNIT	DESCRIPTION IN DETAIL	CREDIT	WEIGHTAGE
1	<u>CIVIL MATTERS: FRAMING OF ISSUE, CHIEF AND CROSS EXAMINATION & ARGUMENTS</u> a. Money suit b. Suit for rent and possession c. Suit for redemption or mortgage of property d. Suit for foreclosure or sale e. Suits for specific performance of contract f. Declaratory suits g. Suits for damages of defamation h. Petition for alimony under the Hindu Marriage Act i. Suit relating to easement or its violation j. Suit for breach of contract k. M.A.C.T. injunction application l. Suit for partition m. Suit for dissolution of partnership and account n. Petition for restitution of conjugal right o. Application for compensation under W.C. Act, M.A.C.T. Appeals write petition p. Prepare plaint, written statement and argument on behalf of plaintiff or defendant	1	25 %
2	<u>CRIMINAL MATTERS: FRAMING OF CHARGE, CHIEF AND CROSS EXAMINATION, ARGUMENTS, F.S.-U/S-313 OF CR.P.C.</u> a. Maintenance application u/s 125 of Cr.P.Code b. Nuisance c. Theft, Robbery and Dacoity d. Cheating e. Kidnapping f. Dishonor of cheque g. Assault and battery h. Bail application i. Memorandum of appeals j. Revision and review application k. Murder l. False imprisonment and illegal; confinement m. Prepare complaint with chief of cross examination of witnesses and argument for complaint of accused	1	25 %

3	<p><u>OBSERVATION OF TRIAL IN ONE CIVIL AND ONE CRIMINAL CASE ON THE FOLLOWING MATTERS</u></p> <ul style="list-style-type: none"> • Prepared of board for arranging the matters • Stages of suit or complaint in proceedings • Examination in chief cross and re-examination of the parties and witnesses, arguments and judgment and other observation if any. <p><u>INTERVIEWING TECHNIQUES AND PRE-TRIAL PREPARATION</u></p> <p>Observation about conversation between the lawyer and client i.e. types of questions by the lawyers to client. Documentary evidence if any and other paper procedure for filling suit or petitions.</p>	1	25 %
4	Argument of Civil & Criminal Matter of Unit: 1 & 2	1	25 %

Reference books	
1	Moot court, Pre-trial preparation of and Participation in trial proceedings & Viva-voice – S.R.mayneni
2	Moot Court - H.N. Tewari
3	Moot court, Pre-trial preparation of and Participation in trial proceedings -S.P. Gupta
4	Beginning Path to Moot court -Nomita&Mukesh
5	Moot Court Etc. –JPS Sirohi

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FACULTY : LAWLL.B. (CBCS)

SEMESTER : V (w.e.f. June, 2020)			
Course Code: UL05ELLB21		Course Title: Practical Paper-2: Alternative Dispute Resolution	
Course Credit : 04		Course Type : Core compulsory	
Examination Marking Scheme			
Internal(Marks)		External(Marks)	
50		50	
		100	
UNIT	DESCRIPTION IN DETAIL	CREDIT	WEIGHTAGE
1	<p><u>INTRODUCTIONS</u></p> <p>1.1. Introduction- Concept of ADR 1.2. History and Reasons for the growth of ADR 1.3. Advantages of ADR 1.4. Legislative and Judicial Sanction for ADR 1.5. Important forms of ADR 1.6. Concept of Negotiation – Mediation - Conciliation - Arbitration –Ombudsman –Lok Pal and Lokayukta - Lok-Adalat.</p>	1	25 %
2	<p><u>ARBITRATION AGREEMENT</u></p> <p>2.1 Arbitration Agreement 2.2 Essentials - Who can enter into arbitration agreement – Validity 2.3 Power to refer parties to arbitration where there is an arbitration agreement. 2.4 Interim measure etc. by court.</p> <p><u>COMPOSITION OF ARBITRAL TRIBUNAL</u></p> <p>2.5 Number of arbitrators 2.6 Appointment of arbitrators 2.7 Grounds for challenge 2.8 Challenge procedure 2.9 Failure or impossibility to act 2.10 Termination of mandate and substitution of arbitrator</p> <p><u>JURISDICTION OF ARBITRAL TRIBUNAL</u></p> <p>2.11 Competence of arbitral tribunal to rule on its jurisdiction. 2.12 Interim measures ordered by arbitral tribunal.</p>	1	25 %
3	<p><u>CONDUCT OF ARBITRAL PROCEEDINGS</u></p> <p>3.1 Equal treatment of parties 3.2 Determination of rules of procedure 3.3 Place of arbitration 3.4 Commencement of Arbitral proceeding. 3.5 Language 3.6 Statement of claim and defense 3.7 Hearing and written proceedings 3.8 Default of a party 3.9 Expert appointment by arbitral tribunal. 3.10 Court assistance in taking evidence.</p>	1	25 %

	<p>3.11 Making of Arbitral Award and Termination of Proceedings</p> <p>3.12 Recourse against Arbitral Award</p> <p>3.13 Finality and Enforcement of Arbitral Award</p> <p><u>NEGOTIATION</u></p> <p>3.14 Meaning of Negotiation</p> <p>3.15 Essential of Negotiation</p> <p>3.16 Characteristics of Negotiation</p> <p>3.17 Exchange of Information</p> <p>3.18 Approaches to Negotiation</p> <p>3.19 Negotiation Styles</p>		
4	<p><u>MEDIATION & CONCILIATION</u></p> <p>4.1 Meaning of Mediation & Conciliation</p> <p>4.2 Mediation vs Conciliation</p> <p>4.3 Mediator Powers and Duties</p> <p>4.4 Agreement to Mediate</p> <p>4.4 Reaching Settlement and Enforceability of the Settlement Agreement</p> <p>4.5 Appointment of Conciliator</p> <p>4.6 Role of Conciliator</p> <p>4.7 Commencement of conciliator proceedings termination of conciliation proceedings.</p> <p><u>ENFORCEMENT OF CERTAIN FOREIGN AWARDS</u></p> <p>4.8 New York Convention Awards</p> <p>4.9 Geneva Convention Awards.</p> <p>LOK ADALAT</p> <p>4.10 Organization of Lok Adalat</p> <p>4.11 Legal Recognition of Lok Adalat in India</p> <p>4.12 Cognizance of case by Lok Adalat</p> <p>4.13 Award of Lok Adalat</p> <p>4.14 Powers of Lok Adalat</p> <p>4.15 Constitution and Jurisdiction of Lok Adalat</p> <p>4.16 Consent of Parties</p> <p>4.17 Power of Judicial Review</p> <p>4.18 Permanent Lok Adalat</p>	1	25 %

Reference books		
1	Arbitration and ADR	-N.K.Acharya
2	Arbitration and Conciliation Act	-S.C.Tripathi
3	Arbitration and Conciliation Act	-N.V.Paranjampe
4	Arbitration and Conciliation Act	-S.S. Mishra
5	Law of Arbitration and Conciliation	-Avatar Singh
6	Arbitration and Conciliation Act	-S.P.Gupta
7	Arbitration and Conciliation Act	-O.P.Tivari
8	Arbitration and Conciliation Act	-Geeta Oberoi
9	Arbitration and Conciliation Act	-S. Bawa
10	Law of Arbitration	-P.K. BasuMajumdar