

CODE-302: PAPER-II: LAW OF EVIDENCE

W.e.f. 2022-23

Max. Marks: 100

Time: 3 Hours

Note: (i) The Entire Syllabus of the theory including latest amendments has been divided into **four units**. But the question paper shall have **five units**. Unit I to IV of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**.

Unit-V will consist of one compulsory question divided in to 8 parts, carrying two parts from each unit of the syllabus. The student will be required to attempt any four parts.

(ii) All questions shall carry equal marks.

Unit-I

Preliminary (sections 1-3), May Presume, Shall Presume Conclusive Proof (Section-4); Relevancy of Facts (Sections 5-16), Admissions (Sections 17-23,31); Confessions (Sections 24-30)

Prescribed Case:

Palvinder Kaur v. State of Punjab, AIR 1952 SC 354

Unit-II

Statements by Persons who can not be called as Witnesses (Sections 32-33); Statements made under Special Circumstances, (Sections 34-39); Judgments of Courts of Justice- When Relevant (Sections 40-44); Opinion of Third Person- When Relevant (Sections 45-51); Character when Relevant (sections 52-55); Facts Need not be Proved (Sections 56-58)

Prescribed Case:

Pakala Narayan Swami v. The King Emperor, AIR 1939 PC 47

Unit-III

Oral Evidence (Sections 59-60); Documentary Evidence (Sections 61-73); Public Documents (Sections 74-90); Exclusion of Oral Evidence by Documentary Evidence (Sections 91-100); Burden of Proof (Sections 101-111)
Presumptions as to Certain Offences (Sections 111-114A) Estoppel (Sections 115-117); Witnesses, Privileged Communications (Sections 118-132); Accomplice (Sections 133); Number of Witnesses (Section 134)

Prescribed Case:

Bai Hira Devi v. Official Assignee. A 1958 SCR 1384

Unit-IV

Examination of Witnesses:
Examination in Chief, Cross-Examination, Re-Examination, Leading Questions. Impeaching the Credit of Witness, Refreshing Memory, Judge's power to put Questions or Order Production (Section 135-166); Improper Admission or Rejection of Evidence (Sections 167)

Prescribed Case:

Abdul Ghani Dhar v. V. Giri, AIR 1971 SC 1162

Books Recommended:

1. Field, C.D. : Law of Evidence
2. Pandey, G.S. : Indian Evidence Act.
3. Rattan Lal and Dhiraj Lal : The Law of Evidence
4. Lal, Batuk : The Law of Evidence
5. Singh, Avtar : Principles of Law of Evidence
6. Wondroff and Ammer Ali : Law of Evidence
7. Pandey, G.S. : Law of Evidence
(Revised by Dr. Amit Ludri)
8. Jilova, C.R. : Law of Cruelty in India

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CODE-303: PAPER-III: CRIMINOLOGY & VICTIMOLOGY

w.c.f. 2022-23

Max. Marks: 100

Time: 3 Hours

Note: (i) The Entire Syllabus of the theory has been divided into four units. But the question paper shall have five units. Unit I to IV of the question paper will have two questions from each unit of the syllabus. The student will be required to attempt one question from each unit. Unit V of the question paper shall have compulsory question, divided into four parts and each part carrying a question from the above four units of the syllabus.

(ii) All questions shall carry equal marks.

Unit-I

1. Criminology: Definition, Nature and Scope
2. Crime and Social Processes
3. Classical School
4. Sociological School
5. Typological School
6. Socialistic School
7. Multifactor School

Unit-II

1. Theories of Punishment
2. The Police System
 - (a) Functions and Duties of the Police
 - (b) Custodial Violence
 - (c) Police- Community Relations
3. Prison System: Prison Reforms and open prison system in India
4. White Collar Crimes
5. Organised Crimes

Unit -III

1. Treatment, Correction of Offenders and Prevention of Crimes
2. Probation: The Probation of Offenders Act, 1958
3. Parole
4. Juvenile Delinquency: Juvenile Justice (Care and Protection of Children) Act, 2015

Unit -IV

1. Concept of Victimology
2. Nature and Development of Victimology
3. Role and Typology of Victims
4. Victim and Criminal Justice
 - (a) Rehabilitation of Victims
 - (b) Victim Compensation Scheme in India
5. Recidivism

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Books Recommended:

1. Sutherland, E & Creesy : Principles of Criminology.
2. Barnes & Teeters : New Horizons in Criminology.
3. Chang, D.H. : Criminology: A Cross- Culture Perspective.
4. Walker, N. : Crime and Criminology: A Critical Introduction.
5. Taft & England : Criminology.
6. Siddique, Ahmed : Criminology.
7. Sirohi, P.S. : Criminology and Penology.
8. Batra P.P. : Probation of Offenders Act, 1958.
9. Pranjape, N.V. : Criminology and Penology.

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W-c-f-2022-23
CODE-304: PAPER-IV: COMPANY LAW

Max. Marks: 100
Time: 3 Hours

Note: (i) The Entire Syllabus of the theory has been divided into **four units**. But the question paper shall have **five units**. Unit I to IV of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**.

Unit-V will consist of one compulsory question divided in to 8 parts, carrying two parts from each unit of the syllabus. The student will be required to attempt any four parts.

(ii) All questions shall carry equal marks.

Unit-I

Historical Development: Emergence of Corporations as a Business Organization and Brief History of the Companies Act
Company- Definition and Kinds; Nature of Company, Corporate Personality; Lifting the Corporate Veil
Formation of a Company- Registration and Incorporations
Memorandum of Association- Its importance and its contents
Alteration of Memorandum of Association. Doctrine of Ultra Vires
Articles of Association, its relation with Memorandum of Association: Doctrine of Constructive Notice; Doctrine of Indoor Management with exceptions. Promoters and Pre-incorporation Contracts

Prescribed Case:

Salomon v. Salomon & Company Ltd., (1897) A.C. 22

Unit-II

Prospectus and Statement in lieu of Prospectus- Their importance
Definition of Prospectus, its contents; Liability for misstatement in the Prospectus
Shares- nature, General Principles of Allotment of Shares; Statutory Restrictions; Share Certificates, Its objects and effects, Share Warrant, Calls on Shares, forfeiture of shares
Transfer and Transmission shares; procedure for transfer; Refusal to transfer- Remedy against refusal
Kind of share and share capital; Issue of shares at premium and Discount
Debentures- Nature and scope, kinds of debentures; charges and classification of charges.
Registration of Charges, Dividend-Meaning, Manner and time of payment of Dividend, Composition and Functions of SEBI

Prescribed Case

Bajaj Auto Ltd. V. Firodia, (1970) 2 SCC 1550; AIR 1971 SC 321

Unit-III

Meetings- Kinds of Meetings- Statutory Meeting and Statutory Report of Company; Annual General Meeting; Extraordinary General Meeting; Procedure and Conduct of Meeting; Voting Resolution and minutes
Investigation- Powers of the Central Government to appoint Inspectors, Powers of Inspectors; prosecution
Directors , Constitution of the Board of Directors; Position of Directors; Appointment; Qualification including share, Disqualifications and removal, Power and Duties. *Corporate Social Responsibility*
Political and Charitable Contribution by Companies, Managing Director and Manager.
Appointment, Powers and Duties.
National Company Law Tribunal- Constitution, Powers and Functions

Prescribed Case

Regal (Hastings) Ltd.V. Gulliver, (1942) 1 ALL ER 378.

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Unit -IV

Majority Powers and Minority Rights; Rule laid down in *Foss v. Harbottle* with exceptions.

Prevention of Oppression and Mismanagement.

Winding up Meaning and Scope, Kinds of Winding up ; Commencement of Winding Up.

Committee of inspection, Liquidator and Official Liquidator, Powers and Functions.

Prescribed Case

Shanti Prasad Jain v. Kalinga Tubes Ltd. AIR 1965 SC 1535.

Books Recommended:

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|---|---|
| 1. Singh Avtar | : Company Law. |
| 2. Gower, L.C. B. | : The Principles of Modern Company Law. |
| 3. Ramiya | : Guide to the Companies Act. |
| 4. Sangal, P.S. | : National and Multinational Companies – Some Legal Issues. |
| 5. Shah, S.M. | : Lectures of Company Law. |
| 6. Rai, Kailsh | : Company Law. |
| 7. The Securities and Exchange Board of India Act, 1992 | |
| 8. The Companies Act, 2013 | |

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**CODE-305: COMPULSORY CLINICAL COURSE:
Drafting, Pleading and Conveyancing**

W.C.P.-2022-23

This will be taught through class instructions and simulation exercises, preferably with assistance of practicing lawyers/retired judges. Apart from teaching the relevant provisions of law. The course will include 15 exercises in drafting carrying a total of 45 marks and 15 exercises in conveyancing carrying another 45 marks (3 marks for each exercise)

(a) Drafting :

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

(b) Pleadings:

(I) Civil: (i) Plaint (ii) Written statement, (iii) Interlocutory Applications; (iv) Original Petition, (v) Affidavit; (vi) Execution of Petition; (vii) Petition under Article 226 and 32 of the Constitution of India (viii) Memorandum of Appeal and Revision.

(II) Criminal: (i) Complaints; (ii) Criminal Miscellaneous Petition; (iii) Bail Application and (iv) Memorandum of Appeal and Revision.

(c) Conveyancing:

(i) Sale Deed; (ii) Mortgage Deed; (iii) Lease Deed; (iv) Gift Deed; (v) Promissory Note; (vi) Power of Attorney; (vii) Will, (viii) Partnership deed, (ix) Notice.

(d) Viva-Voce: The remaining 10 marks will be given in a Viva-voce Examination which will test the understanding of Legal Practice in Relation to Drafting, Pleading and Conveyancing.

Important Note:

For (b), (c) and (d)- External Expert, Chairman and teacher concerned shall constitute a panel and the presence of two persons shall constitute the quorum.

Books Recommended:

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| 1. Chaturvedi, R.N. | : Pleading, Drafting and Conveyancing |
| 2. Aggarwal, S.P. | : Drafting and Conveyancing |
| 3. Tyoriwala, M.T. | : Law and Practice of Conveyancing |
| Vimadalal, S.N. | |
| 4. Majumdar, M.K. | : Law of Pleading and Conveyancing |
| 5. Tiwari, O.P. | : Pleadings, Conveyancing, Drafting and Legal Professional |
| Singhal, M.L. | Ethics |

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