Curriculum of Induction Training Course for Civil Judges (Junior Division) at Chandigarh Judicial Academy (CJA)
During the year 2012-13

Part I: Broad split-up of 12-month schedule shall be as under:

I. Institutional Training at CJA 6 ¼ Months

II. Practical Training in the Court of Sessions Division as per 3 Months

III. Revenue Training at CJA 1 ½ Month

(3 + 3 = 6 weeks)

IV. Police Training (at the appropriate Police Training Centre) ¾ Month

(Three weeks)

V. Bharat Darshan* (Visiting Judicial Institutions in other states) ½ Month

(Two weeks)

Part II: Broad division of available 640 Units of Institutional training

640 units (about) of working hours (5 units per day on 116 working days from Monday to Friday and 3 units per day on 20 Saturdays) during the academic session 2012-13 shall be devoted to the Institutional Training programme at CJA during the period of 6.25 months.

For wholesome development of personality we do need to continue to have Yoga classes (an imperative component of the curriculum of induction training programme) for the trainee Judicial Officers, in addition to the provision of indoor and outdoor game facilities in the morning/evening daily.

* The provision of Bharat Darshan in order to acquaint the trainee Judicial Officers with the working and functioning of courts in other States is desired to be introduced for building up and strengthening institutional solidarity. Besides, it would add an healthy recreational component.

Part – III: Constitution, Judicial system and other related matters of core concern

Section 1: Indian Legal System and the Constitution

a) Glimpses of Ancient Indian Legal System, and Framing of Indian Constitution; Evolution of Constitutional Values including salient Features of Indian Constitution. 4 units

b) Contemporary National Challenges - Social Justice; Philosophy of Reservation; Electoral and Democratic Reforms; Civil Society and Social Movements; Courts and Tribunals. 4 units

Section 2: Judge in the Justice System

a) Concept of Justice
Justice as a Value under the Indian Constitution (Preamble, Article 21, Article 38(1) and Article 39A and Distributive Justice). 4 units
b) Role of a Judge
Judge as a pivot of the court system; Judiciary as a catalyst to Social Change; Judge as a Guardian of Rights; Adherence to Core Constitutional Values; Judge in a Democratic Society; Judge as Judicial Reformer  
4 units

c) Judicial Method/Process
i. Attributes of Fair Trial and Principles of Natural Justice
ii. Judicial Process: Functions of a Judge; Decision Making (Legal Reasoning); Constitutional Vision of Justice
iii. Interpretation of Statutes,
iv. Doctrine of stare decisis
v. Personality of Judges and its influence on decision making - Realist Perspective; minimizing impact of hidden bias  
6 units

d) Judging Skills
i. Recording, Marshalling and Appreciation of evidence,
ii. Controlling witness examination
iii. Issues, facts, dictating, editing ,correcting judgments and orders
iv. Reasoning including legal reasoning in judicial process and ratiocination  
4 units

e) Communication:
i. Judicial Writing (Orders, Judgments),Other official correspondence
ii. Verbal and Non-verbal Communication
iii. Legal Language (including Latin Maxims)
iv. Skills in English and vernacular language
   a. Writing Skills (Précis writing, Essay writing etc)
   b. Translation from vernacular to English and vice versa  
10 units

f) Court Crafts:
Managing Court office and Open Court (Difficult witnesses, Intervention, Neutrality, Contempt, Applications for disqualification, getting advice, Vernacular language speakers, Interpreters, unrepresented litigants, bullying, humor, how to deal with inappropriate behavior; women and children in court)  
4 units

g) Court Management
a. Managerial functions: Planning (classification of cases-distribution according to expertise),
b. Judicial leadership
c. Delegation, Supervision, Time Management, review and assessment including the problem of delay and arrears
d. Court Management
e. Case Load Management
f. Case Flow Management
g. Adjudication Management
h. Co-ordination with High Court and Addressing Grievances  
10 units

h) Research and Knowledge Management:
Legal Research, Use of Research Tools including Computer and Internet based tools; E-courts- functioning and procedures  
10 units

i) Stress Management and Time Management  
4 units

Section 3: Law and Society: Law as an instrument of Social Change; law as a product of traditions and culture; Distributive Justice (different from social justice); Relationship between Constitutional Values and Societal values; Gender Justice including transgenders / Hijra Communities in India; Civil Liberties; Rights of the Tribal People; Environmental Justice; Human rights; Women, Children and law; Differentially abled persons.  
4 units
Section 4: Judiciary and Ethics

a) Qualities of a Judge:
   i) Qualities of a Judge for Effective Decision-making (Empathy, reflection, rectitude, ability to develop sympathetic detachment)
   ii) Personal qualities - humility, sobriety and courtesy, integrity, tolerance, punctuality
   iii) Judge as a Public Servant
   iv) Relationship of a judge with other judges including the judges of the Supreme Court, High Court, District & Sessions Judges, and other officers – such as Executive Officers, Advocates, Prosecution & Subordinate staff.

b) Integrity of Judicial Process
   i) Recusal
   ii) Fairness
   iii) Standards for Ethical Conduct of Judges (Bangalore Principles, National and International Norms, Court Rules, interface with society)
   iv) Identifying and Avoiding Prejudices and Biases

2 units

Section 5: Access to Justice Initiatives

a) Legal Services Authorities Act (various schemes)
b) Alternative Dispute Resolution Measures (Civil Procedure Code, mediation, conciliation, judicial settlement, plea bargaining)
c) Legal Aid
d) Public Interest Litigation
e) Lok Adalats

5 units

Section 6: Practice Norms (Judicial)

General Rules (civil and criminal) and circular letters issued by the High Courts to regulate court working on the judicial side. (Details to be supplied by the State Judicial Academy/High Court concerned); Maintenance and inspection of court registers

5 units

Section 7: Service Rules for Judges

i) Conduct and Service Rules
ii) Disciplinary Proceedings
iii) Financial Rules and Regulations including relevant Income Tax Rules

4 units

Section 8: Office Administration

General Administration including Recruitment of Staff, Departmental Enquiries, Confidential Reports, Court Inspection, Budgeting, Leave Rules, TA & LTC., Purchase Procedure, Treasury Rules and Basics of Accountancy.

4 units

Total 94 units
Part - IV
Substantive and Procedural laws (Civil and Criminal)

CIVIL LAW

Section 9  Observance of the rules of procedure in Civil Cases
i. General working hours of the courts;
ii. Change of court hours due to local and seasonal changes,
iii. Preparation of cause list and its purpose. (Performa to be supplied);
iv. Notice board on the wall of the veranda of the court to display cause
    list and other information for use by the public;
v. Cases not to be taken up after court hours or on holidays;
vi. How the cases are to be adjourned if Presiding Officer takes leave
    abruptly or it is declared as a holiday;
vii. Attendance of ministerial staff;
viii. Petition box kept outside the court room - its purpose and legality;

Section 10  Filing of petition, suits, etc.

i. Who can file petition and who is competent to receive the same?
ii. Recognized agents, - what is power of attorney, who is competent to
    appear and their significance and other allied matters;
iii. Who can institute the suit?
iv. Who may be joined as plaintiffs/defendants, objection regarding
    misjoinder/non joinder of parties, striking off or adding parties in civil
    cases, framing of suits along with latest view of the Hon'ble Supreme
    Court? (Order 1 & 2 CPC) [Facts of a case to be given by the Faculty
    Member for deleting or adding a particular party and speaking order
    is to be written by the TJOs and faculty member to check the same
    and guide]
v. Duty of the court to scrutinize as to whether proper court fee has been
    paid and whether the court has jurisdiction pecuniary and territorial,
    place of suit, whether addresses of the parties are complete.
vi. When, one or more persons may be permitted to file a suit on behalf of
    all persons from the public so interested.  (O. I R. 8 CPC)
vii. An application is given by an applicant to become a party in the suit.
    The Judicial Officers would be required to pass a speaking order
    disposing of the said application. (Facts to be given from a decided
    case by the Faculty Member.)
viii. An application is given by some of the persons from the public to
    become a party in a suit instituted under order I R. 8 CPC.  Officers
    would be required to write a detailed order disposing of the said
    application

Section 11
i. Framing of suits – every suit shall include the whole of the claim.
ii. Joinder of cause of action,
iii. Relinquishment of part of the claim,
iv. Examination of the plaint, check list given in part C Chapter – 1, High
    Court rules and Orders Vol. 1
v. Service of the defendants – various modes to effect service of the
    defendants, issue of summons, to be signed and sealed by the Presiding
    Officer, copies of the plaints to be sent along with summons, whether
    the summons are issued for appearance or to file written statement.
vi. Substituted service – when can be ordered,
vii. Parcha Yad Dasht (As required in Rule 13 Chapter 1 C High Court
    Rules & Orders Vol. 1
viii. Service of summons where defendants reside within the jurisdiction of
    other court or outside the jurisdiction of the court.
ix. Service of defendants in prison
x. Service of summons where defendant resides out of India
Section 12  Jurisdiction of civil Courts vis–a–vis exclusion of jurisdiction of civil court under various enactments - where to frame preliminary issue in such matters – exposition in the light of judicial decisions (Sec. 9 CPC).

An application is given by the defendant to reject the suit for want of jurisdiction. The plaintiff objects to it. [Detailed facts to be given by the Faculty Member to the TJO to pass a speaking order.]

Section 13  Principles of pleadings (Order VI CPC)

i. Forms of pleadings
ii. Verification and signatures
iii. Striking out pleadings
iv. Amendment of pleadings
v. Particulars to be mentioned in plaint (Order VII)
vi. Procedure to return the plaint (Order VII Rule X CPC)
vii. Procedure to return the plaint requiring parties to appear in another court on a particular date (O VII Rule X A)
viii. Rejection of plaint (O. VII Rule 11 CPC)
ix. Production of documents along with the plaint and consequences of non-compliance of this provision.
x. Filing of written statement within 30 days from the date of service of summons (Order VIII Rule 1 CPC)
xii. Particulars of set off or counter claim by the defendants

Section 14  Appearance of opposite parties in court.

i. What is Written Statement? What it normally should contain, and what are the consequences of non appearance of a party duly served?
   What is implied admission? Main requirement of Order VIII. How to construe pleadings?

ii. What is set off? How it is different from counter-claim? What are the precautions one is to exercise?

Section 15

i. An application is given by the defendant to return the plaint on the ground that the Civil Court has no territorial jurisdiction. Officers would be required to write a detailed order. (O. VII R. X)

ii. An application is given by the defendant to reject the plaint on the ground that it does not disclose a cause of action. [TJO shall be required to write a detailed order] (O. VII R. 11)

iii. An application is given by the defendant to return the plaint to be presented in another court in another State. Officers would be required to pass an appropriate order (O. VII R. XA CPC)

iv. An application is given by the plaintiff to amend the plaint. [TJO shall be required to pass an appropriate order to dispose of the application.]

v. An application is moved by the defendant to amend the Written Statement. [TJO shall be required to pass an appropriate order disposing of the application.]

Section 16

i. The procedure regarding dismissal of suit, proceeding ex-parte against the defendant, setting aside the ex-parte order, dismissing the suit in default or passing an order proceeding ex-parte against the defendant and allied matters as to under what circumstance the ex-parte order can be set aside or not. What precautions the presiding officer should take in passing such orders during the trial of the case. (Order IX CPC)

ii. Facts of a case to be given to set aside an ex-parte judgment passed by the Civil Court and the officers to pass a speaking order in terms of latest judgments of the Supreme Court.
iii. An application is given by the plaintiff to restore the suit dismissed in default. Facts to be given from a decided case by the judicial Court and officers would be required to write a speaking order. 3 units

Section 17
i. After the pleadings are complete, importance of examination of parties in the court before framing issues.
ii. Importance of requiring the parties to produce documents and to admit or deny the same.
iii. Importance of production, impounding and return of document as required under O.XIII of CPC.
iv. Return of admitted documents
v. Importance of discovery by interrogatories
vi. The provisions of ADR System under which the court is duty bound before framing issues to ascertain as to whether there appears to the court that there exists an element of settlement which may be acceptable to the parties and the court may reformulate the terms of possible settlement and refer the matter to arbitration, conciliation, judicial settlement, mediation as required under Section 89 read with O. X Rule 1-A, 1-B, 1-C of the CPC.

Section 18
When the case is fixed for the evidence of the plaintiff, after the issues are struck, the date is to be fixed for the evidence of the plaintiff and the parties would be required to bring the witnesses unless summoned through the court for which diet money can be deposited within the stipulated period and list of witnesses must be filed in the court within 15 days from the date the issues are settled.

Interaction and Discussion. 1 unit

Section 19
When the case is taken up by the court for recording evidence, the procedure to be explained for recording the examination in chief, cross examination and re-examination. 1 unit

Section 20
Examination in chief can be given by way of affidavit but the party must appear in the court to make statement first before other witnesses are examined. (Rule 3-A O. 18 CPC) 1 unit

Section 21
The procedure regarding recording of evidence to be explained as detailed in Rule 4 Order 18 CPC) and that the evidence has to be recorded in the official language of the court unless the parties agree to record the evidence in English only and the party and advocate agree to record the same in English only under Rule 9 Order 18 CPC. 1 unit

Section 22
When the plaintiff closes the evidence the evidence of the defendant is to be recorded and the defendant is to be examined first and then other witnesses are to be examined. 1 unit
Section 23
i. The case can be fixed for rebuttal evidence if, burden of proof on some of the issues is on the defendant and the defendant has led evidence otherwise not.
ii. The Trainee Judicial Officers are to be given guidance not to give unnecessary adjournments and not to return the witnesses unexamined from the court and the list of witnesses must be taken before starting evidence.
iii. An application is moved to recall a witness. The officers would be required to decide the said application after passing a speaking order.
iv. An application is moved to re-examine a particular witness on the ground that certain questions could not be put to him in the cross-examination by the defendant. The officers would be required to pass a speaking order disposing of the said application.

Section 24
After the evidence is closed by the party the Presiding Officers are required to decide the case after obtaining written argument or hearing arguments and that, a reasoned judgment is required to be passed. The essential ingredients of a judgment are to be explained.

Section 25
Various modes of Executions proceedings
i. What is the procedure for filing an application for execution?
ii. Various modes of executing the decree and allied matters – attachment of movable or immovable property and which property is exempt from attachment.
iii. Transfer of decree outside the court.
iv. Execution in case of cross decree and cross claims under the same decree. (Order XXI CPC and Chapter 12 of High Court Rules & Order Vol. 1)
v. When the court can stay decree – decree for specific performance or restitution of conjugal rights or for injunction. Where the JD can be arrested. (Order XXI CPC)
vi. Adjudication of claims to or objections to attachment of property, stay of sale, proclamation of sale by public auction, mode of making proclamation, and allied matters. (Order XXI CPC).
vii. Sale of property by public auction, confirmation of sale and issues of sale certificate, where, the sale can be set aside on deposit of decretal amount, application to set aside the same and allied matters. (Order XXI CPC)
viii. All matters of execution, discharge and satisfaction of the decree to be decided by Executing court (Section 47 CPC)

Section 26
What procedure is required to be adopted if a party dies during the pendency of the suits and how the L.Rs. are brought on record? Latest law to be discussed and facts of a case to be given requiring the TJOs to decide the said application. (Order XXII)

Section 27
An application is moved by the plaintiff to bring on record some legal representative of the defendants. The Judicial officer would be required to pass a speaking order on the basis of facts to be given from the decided judicial file.

Section 28
Discussion regarding family arrangements, consent decree, collusive decree and compromise between the parties in civil cases keeping in view the latest judgments.
The TJOs would be required to pass an order on the facts to be given by a Faculty Member.

Section 29
Withdrawal of suit or abandonment of a part of a claim, compromise in civil suits, when and where to be allowed/disallowed. (Order XXIII CPC)
Section 30
i. When the local commissioner can be appointed by the court, either to record evidence or to inspect the spot or to make local investigation or to make a partition.

ii. An application is moved by the defendant challenging the report of the local commissioner. Facts to be given to the TJOS decided file and the officers would be required to dispose of the said application after passing a speaking order. 2 units

Section 31
i. What procedure is required to be followed if, an application is moved by an indigent person along with suit – what procedure is required to be followed in such types of cases whether court fee can ultimately be recovered and if so how and when. (Order XXXIII)

ii. Facts are to be given requiring TJOSs to pass an order declaring a particular person as an indigent person or not. 2 units

Section 32
i. Arrest and attachment before judgment either within the jurisdiction of the court or within India or outside India and allied matters. (Order XXXVIII CPC).

ii. The faculty member should give facts of a case and require the trainee judicial officers to pass a speaking order.

iii. An application is moved by the plaintiff to attach the property under Order 38 R. 5 CPC and the property is located in Bombay. The detailed facts to be given from the decided case and the TJOS would required to pass a speaking order. 2 units

Section 33
i. The summary procedure required to be followed in suits filed under Order 37 of the CPC and where to allow leave to defend the suit and what principles are required to be followed in dealing with such suits.

ii. Facts of the case to be given by the Faculty Member requiring the TJOSs to pass a speaking order. 2 units

Section 34
In what circumstances an application for restitution can be allowed. Detailed discussion, keeping in view the latest law on the subject. (Sec. 144 CPC) 1 unit

Section 35
i. In what cases, the court can exercise inherent power and what are the circumstances in which clerical or arithmetical mistakes in the judgment, decrees or orders can be corrected by the court.(Sec. 151 & 152 CPC)

ii. Facts of an application are to be given by the Faculty member and the trainee judicial officer would be required to pass an appropriate order) 2 units

Section 36
Matters connected with costs, special costs, compensatory costs, striking off the defence of the defendants, and allied matters. 1 unit

Section 37
Suit by or against the Govt. and the special procedure prescribed for such suits to be discussed. (Sec. 79 & 80 CPC) 1 unit
Section 38

i. What are the various principles for the grant of permanent injunctions?

ii. What are the various principles for the grant of mandatory injunctions?

iii. When, the court is bound to refuse an injunction u/s 41 of the Specific Relief Act, 1963

iv. What are the principles for the grant of interim injunctions?

v. An application is moved by the plaintiff for the grant of interim injunctions along with an affidavit. Facts are to be given to the TJO from decided file and the officers would be required to dispose of the said application after passing a speaking order.

vi. An application is moved by the plaintiff for taking action against the defendant for disobeying the injunction order as required under O. 39 R. 2-A CPC.

vii. An application is moved by the plaintiff to prepone the case because of the urgency. Facts to be given to the TJOS from the decided file and the officers would be required to dispose of the said application after passing a speaking order.

4 units

Section 39

If a minor is to file a suit what precautions are required to be taken.

Interaction and Discussion. 1 unit

Section 40

What is an interpleader suit. How it is different from other suits, its utility, what are its essential ingredients? (Sec.88)

1 unit

Section 41

Who is Receiver? What is his role in civil case, how appointment is made? (Order 40)

1 unit

Section 42

Award of costs in civil suits; criteria for imposing costs. Costs for adjournment and costs for non compliance with orders of the court. What is impact of non-payment of costs on the fate of the suit?

1 unit

Section 43

i. Appeals against orders. Appeals against the decrees, What is difference between two?

ii. Can suits pending in different courts be consolidated in one court? What is consolidation of suits? What is its purpose?

1 unit

Section 44

When evidence of a party can be closed by the court? What is difference between Order 17 Rule 3 C.P.C. and Order 17 Rule 2 C.P.C.?

1 unit

Section 45

What is Review, what is its role? Draft a petition for review of an order.

1 unit

Section 46

What is res-judicata, what is constructive res-judicata? 3-4 exercises would follow. What is sub-judice, what is difference between res-judicata and sub-judice?

1 unit

Section 47

What is a public nuisance? and What is a public charity, what are essential attributes of public charities; is there any difference between a suit for or against a public charity than an ordinary suit?

1 unit
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Units</th>
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<tbody>
<tr>
<td>48</td>
<td>What is the difference between a decree and an Order, what is difference between preliminary and final decree? What are interlocutory orders?</td>
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<tr>
<td>49</td>
<td>What is the judgment, what are essential ingredients?</td>
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<td>50</td>
<td>Transfer of cases. What are the grounds on which transfer can be made? With whom such powers of transfer lies.</td>
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<td>51</td>
<td>Reference, with its use and impact, when it is to be resorted to.</td>
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<td>52</td>
<td>What is Revision, what is difference between appeal and revision? Demonstrate.</td>
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<td>53</td>
<td>What is doctrine in elections, how it is put into operation and What is collusion? What impact it makes on civil proceedings? How it is to be proved? Whether collusion vitiates the judicial proceedings, if so when and in what circumstances?</td>
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<td>54</td>
<td>Insolvency Laws</td>
<td>2</td>
</tr>
<tr>
<td>55</td>
<td>Evidentiary value of witnesses. How you will evaluate a witness of record, an official witness performing certain functions in discharge of his duties and a witness who has seen a document having been executed in his presence and has also put his signatures in token of its attestation as also a witness who also accompanied him but had not appended his signatures or thumb impression. Exercise would follow. (Sec. 3)</td>
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<tr>
<td>56</td>
<td>Factors to be kept in view regarding the rules of admission of evidence known as re-gestae in criminal cases (Sec. 6 of the Indian Evidence Act)</td>
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<td>57</td>
<td>What factors are to be determined and appreciate the evidence of motive preparation, and previous and subsequent conduct of a person in criminal cases (Sec. 8 of the Indian Evidence Act)</td>
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<tr>
<td>58</td>
<td>Factors to be kept in view in criminal cases regarding test identification parade of persons and property (Sec. 9 of the Indian Evidence Act)</td>
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<td>59</td>
<td>Proof of admission against persons making them and by or on their behalf (Section 21). An exercise would follow. (Sec. 18 to 23)</td>
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<tr>
<td>60</td>
<td>Factors regarding appreciation of judicial confession, retracted confession, extra judicial confessions (Sec. 24 and 27 of the Indian Evidence Act)</td>
<td>2</td>
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<tr>
<td>61</td>
<td>Factors for appreciation of dying declaration and its evidentiary value in criminal cases (Sec. 32 of the Indian Evidence Act)</td>
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<tr>
<td>62</td>
<td>Claim based on entries in Account Books. Whether entries in books of accounts of a suitor are sufficient to saddle the</td>
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defendant with liability? What would be defence of the opposite party? (Sec. 34)

Exercise would include entries from books of accounts say cash book and to make trainees aware about their probative value, corresponding entries or absence thereof with date, month and year in other books of accounts e.g. ledgers will be shown
2 units

Section 63 Judgments in personam and rem and their relevancy at the time of deciding the civil cases with up to date case law. (Sec. 40 – 44) 1 unit

Section 64 Science of handwriting, fingerprint, thumb impression experts opinion and medical experts. Detailed discussion and interaction (S. 45 – 51, 68 & 73)

An Application is given by the plaintiff to examine the signatures of a witness on a promissory note but the defendant is contesting the same. The facts are to be given by the faculty member from a decided case and the officers would be required to write a speaking order. 2 units

Section 65 Opinion on relationship under Section 50. For proof of parentage of a child, what kind of evidence is required from inmates of the house, where he lives? What is evidentiary value of such evidence? How it would be rated in priority if there is date of birth entry in school register as also in birth and death register. (Sec. 50) 1 unit

Section 66 What is the importance of character in civil and criminal cases (Sec. 52 to 55) 1 unit

Section 67 Importance of primary and secondary evidence and how to appreciate photographs, Photostat copies, carbon copies, copy of the deposition of the person in other cases and newspaper reports. What considerations are to be kept in view at the time of deciding the application for secondary evidence.(Sec. 62 to 65 & Sec. 81 of the Indian Evidence Act) 1 unit

Section 68 An application is given by the plaintiff to lead secondary evidence in respect of a registered will which has been misplaced. The officers would be required to pass a speaking order and the facts are to be given by the Faculty member from a decided file to be brought from District Court later on. (Sec. 65) 1 unit

Section 69 Admissibility of electronic records (Sec. 65A & 65-B of the Indian Evidence Act) including the use of digital camera/CCTV. 1 unit

Section 70 Proof of execution of a document required by law to be attested under (Section 68). A Will with two attesting witnesses and a scribe would be put in exercise with different permutation and combination of witnesses. (Sec. 68) 2 units

Section 71 Proof where no attesting witness is found (Section 69). Will it make any difference whether one attesting witness is alive but is not available? (Sec. 69) 1 unit

Section 72 Comparison of Signature, writing or seal with others admitted or proved Section 63. How an application filed by a plaintiff for obtaining signatures of the defendant who has denied execution of a promissory note, for comparison with the disputed signatures, on such promote, is to be dealt with and decided. Discussion would follow. (Sec. 73) 1 unit
Section 73  An Application is given by the plaintiff to examine the signatures of a witness on a pronote but the defendant is contesting the same. The facts are to be given by the faculty member from a decided case and the officers would be required to write a speaking order. (Sec. 45 & 73)  1 unit

Section 74  An Application is be given by the plaintiff to determine the age of ink and the officers would be required to pass a detailed order disposing of the said application. (Sec. 45 & 73) 1 unit

Section 75  Public documents. Does a public document require further proof? How a public document is different from a private document and how both would differ in respect of their mode of proof as also evidentiary value? (Sec. 74 to 89) 1 unit

Section 76  Documents 30 years old. Whether such presumption of truth would also be available to a certified copy of same antiquity. What is evidentiary value of such document viz. a viz. a document which has been proved by its executant as also by its witnesses. (Sec. 90) 1 unit

Section 77  Burden of proof. How it is a dynamic concept? How and when it becomes static? When it can be said to be shifting? (Sec. 101 to 102) 1 unit

Section 78  Presumption of death under Section 108 Evidence Act. Whether declaration by way of a civil suit under Specific Relief Act, 1963 can be obtained against general public, if so, when? If not, why not? Discussion follows. 1 unit

Section 79  Appreciation of evidence, interpretation of statues and law of evidence and different presumptions drawn under section 114 of the Indian Evidence Act. 1 unit

Section 80  Estoppel. What role this concept has to play in decision of causes before a court? Does age of a statement operating as estoppel carries weight? How it is different from promissory estoppel? (Sec. 115 & 116) 1 unit

Section 81  Testimony of a child witness, chance witness, Inimical witness, rustic witness, interested witness, dumb witness-- various precautions required to be taken by the presiding officer. Detailed discussion with upto date case law. (Sec. 118 & 119) 2 units

Section 82  Examination of witnesses. Difference between examination-in-chief, cross-examination and re-examination is to be discussed and differentiated. Exercise would follow whether statement of a witness with examination-in-chief, with cross-examination, only examination-in-chief and examination-in-chief with no cross-examination (opportunity having been given) would be formulated and their respective probative value would be discussed. (Sec. 135 to 143) 2 units

Section 83  Procedure to be adopted to declare a witness hostile and actual recording of evidence of a hostile witness in the court. (Sec. 145 & 154, 155) 1 unit

Section 84  What is the criteria of asking a court questions from the witness by either party or how the court can allow or disallow a question. When, a witness can be compelled to answer a question. (Sec. 147 & 165) 1 unit
General Clauses Act, 1989
Section 85
General discussion and interaction of the various provisions of this Act. 1 unit

Punjab Court Act, 1918
Section 86
General discussion and interaction of the various provisions of this Act. 1 unit

Oaths Act, 1969
Section 87
General discussion and interaction of the various provisions of this Act. 1 unit

Suits Valuation Act, 1887
Section 88
What are the objects and reasons for enacting the Suit Valuation Act, 1887? How the valuation of suits is to be determined vis-à-vis jurisdiction of the court? Discussion and interaction with update case law on the subject. 1 unit

Indian Stamp Act
Section 89
What are the principles for determination of stamp duty? What is mode of cancellation of adhesive stamps? What procedure the court has to follow in case of un-stamped or insufficiently stamped documents which are produced before the court? Discussion and interaction with update case law on the subject. 2 units

Court-Fees Act, 1870
Section 90
(i) What is ad valorem fee? How the various suits are valued and what is the criterion in respect of suit relating to immovable property assessed to land revenue? What are the cases/suits where the fixed court fee has to be paid who and when the question as to valuation of a particular suit is to be decided and how the deficiency in the court fee is to be recovered?
(ii) Fees in the High Courts, other courts and in public offices ; Fees On Documents Filed Etc; Process Fees; Modes of Levying Fees; Refund of Fees; Exemptions; Probates, Letter of Administration, Certificates of Administration 2 units

Punjab/Haryana Civil Service Rules (Vol. 1,2 & 3)
Section 91
i. General service conditions particularly relating to fees honorarium, deputation, dismissal, removal, suspension, resignation etc. Facts of particular case to be given regarding fixation of subsistence allowance. 2 units
ii. General rules applicable regarding grant of earned leave, half pay leave, extra ordinary leave, maternity leave etc. to a regular Govt. Employee and also joining time admissible on transfer to a govt. employee in public interest. 2 units
iii. General conditions regarding grant of pension, calculation of qualifying period and different kinds of pension, commutation of pension, calculation of pension and other benefits admissible to a Govt. Employee on superannuation. Facts of a case are to be given requiring to fix the pension of a Govt. Employee. 2 units
iv. General rules regarding general provident fund, group insurance scheme, payment of interest, withdrawal of refundable/ non-refundable advances from the general provident fund and the various conditions prescribed for the same. 2 units

v. General conditions regarding payment of traveling allowance/daily allowance/transfer grant to the Govt. Employee on transfer from one station of posting to another station of posting and allied matters.

Punjab/Haryana Financial Rules

Section 92
i. General principles regarding handling of cash, maintenance of cash book, payment of permanent advances, revenue receipts and their checkup including the duties of the drawing and disbursing officers. 2 units

ii. Pay and allowances of Govt. Employees, preparation of service record, preparation of pay bill, service book, contingency, refund of loans and advances maintenance of stores and their physical verification. 2 units

Punjab/Haryana Punishment and Appeal Rules

Section 93
i. Scope of the Rule, provisions relating to suspension, object of suspension, ground of suspension, payment of subsistence allowance and other allied provisions. 1 unit

ii. Difference between major and minor penalties, procedure for imposing minor punishment, procedure for holding departmental inquiries and imposing of major penalties, action on the inquiry report. 1 unit

iii. Scope of interference by the civil court in respect of a penalty imposed by the punishing authority. Facts of a case are to be given by the Faculty member for the purpose of writing a judgment. 1 unit

Govt. Employees Conduct Rules as applicable in the States of Punjab & Haryana

Section 94
i. Object of framing Government Employees Conduct Rules, and the general principles which a govt. employee is required to follow during the whole of govt. service. The various provisions as to what the government employee or his relatives should not do during service particularly relating to not taking part in politics, elections, strikes, demonstration, approaching press, radio. 1 unit

ii. General provisions regarding the conduct which a govt. employee should maintain and filing of movable/immoveable returns of property at the end of each financial year and discussion regarding other allied provisions. 1 unit

RULES AND ORDERS OF PUNJAB AND HARYANA HIGH COURT VOL. 1 TO 4 & 6

Section 95
i. Causes for delay in disposal of cases, appointment of commissions and arbitrator, death, marriage and insolvency of party, attachment before judgment and temporary injunctions, special features of cases under Punjab customary law, money suits, presumption suits, suit against minors and person of unsound mind, suits for redemption and foreclosure, suits for accounts, procedure in Hadd Shikni cases, general instructions of the financial commissioner regarding appointment of revenue officer as commissioners, court language. (Chapter 1 High Court Rules & Order Vol. 1) 2 units
ii. Attendance of witnesses in civil courts, attendance of patwaris their remuneration as fixed in civil cases, summoning of Govt. Employees, suits by or against persons in military services, suits by or against govt. and public officers, utilization of services of special Kanigos or Patwari. (Chapter 5, 6, 8, 9 Vol. 1) 2 units

iii. Filing power of attorney, by advocates, rules regarding accessing fee in civil cases, recording of CRs of the staff, rules made by the High Court u/s 122 of the CPC (Chapter 16, 18 and 21 of the High Court Rules & Order Vol. 1) 2 units

iv. Principle regarding issue of succession certificate, personal responsibility of Judicial Officers for loss caused by negligence of law and rule for supervision, periodical inspection of accounts including cash books, checking of register relating to peculiarly transition, special intention towards register of nazirs and naib nazirs, daily checking of cash books, paying special attention to the audit reports, speeded disposal of audit reports. (Chapter 6 & 8 Vol.2 High Court Rules and Orders) 2 units

v. Sheriffs’ petty accounts and its maintenance. Items included under sheriffs’ petty accounts, maintenance of receipt, disbursement registers, maintenance of cash books, how entries are made in these registers and what precautions are required to be taken at the time of putting signatures by the P.O., principal financial duties of the P.O., procedure for dealing with applications received to deposit money and issue of receipt, procedure for handing of money to process servers at the time of giving summons for service, transmission of processes money between different agencies, refund of un-disbursed money to the depositors, deposit and withdrawal of money from the treasury, maintenance of pass book, monthly verification of accounts, physical verification of balance in the hand of nazir, deposit of money which lapses in the head of the government after 3 years and how entries are made in the various registers. (Chapter 8-D, Vol. 2 of High Court Rules and Orders) 2 units

vi. Civil Courts deposit accounts, various items included in the same. Maintenance of register of receipt (voucher system) procedure to receive the deposit through challan, making of entries in the said register, how the applications received for deposit money are dealt, deposit of cheques in the bank, maintenance of Bailiff's note, and their checking, maintenance of separate accounts for each court, deposit of money of the court auction in the bank, obtaining R.D. numbers from the treasury, procedure for issuing payment vouchers, daily supervision of accounts, preparation of statement of lapsed money to be sent to the A.D., procedure for preparing payment voucher of lapsed money, and allied matters including practical filling in of various registers. (Chapter 8-E, Vol. 2 High Court Rules & Orders of Pb. & Hry.) 2 units

vii. Timing of the Court, of the Magistrate, receipt of challans, scrutiny and summoning of accused. Manner in which Magistrate may take cognizance. Complaints how to be dealt with, oral examination of complainant and preliminary enquiry, when process should be issued against accused. Importance of examination of complaint before issue of process, procedure of trial in summons, warrants and summary cases, cases against the government servant and police officers post marten examination, medico legal cases and chemical examiner reports and their importance. Legal aid to the accused, duty of the court at the time of transfer of the cases from one court to others, duty of the court to send the record immediately. Difference between Judicial lock-ups and Police lock-ups. Appointment of prosecutors to the court, their role towards the court in Criminal Cases. (Chapter 1, 18, 24, 27, 29 Vol. 3 of High Court Rules & Orders of Pb. & Hry.) 2 units

viii. Supervision and control over the civil and criminal courts, pecuniary control, Quarterly inspection of the court by Judicial Officers, interaction and practical writing of the inspection report. To discuss
the working of the process serving establishment in the Courts, various registers maintain and how the work of the process servers is controlled by the Civil Nazir/Naib Nazir and what is role of the Judicial Officer in ensuring that the process servers perform the duty entrusted to them and service is affected in the minimum possible time without making false reports. (Chapter 1, 2, 3, 5, 6, Vol. 4 of High Court Rules & Order of Pb. & Hry.)

2 units

ix. Various modes of service as service through process server, by post, substituted service, service through publication dasti summons. What is role of Nazir/ C.O.C. in at the time of attesting the report of the process server and how the Presiding Officer can keep control regarding the issue and receipt of summons in order to avoid delay in the case. In Criminal Cases, what are the cases in which summons are sent to the Police Station and in what cases the summons are sent to the Process Serving Agency. (Chapter 7 & 8 Vol. 4)

2 units

x. Imposition of fine in Criminal Cases, maintenance of fine register, refund of fine, deposit of fine in the Bank on the same way or on the next working day, what precautions the P.O. should take to avoid misappropriation of money. General procedure regarding attestation of affidavit, Maintenance of register and the procedure for reading out the affidavit by the Magistrate to the deponent before it is attested. (Chapter 10 Vol. 4 of Pb. & Hry. High Court Rules and Order)

1 unit

xi. Legal proceedings by or against Judicial Officer, oath, affirmation and affidavits, Preparation of Judicial Record – General Instructions regarding writing of Orders and other matters on one side leaving margin on both sides. Indexing of papers, checking of records and consigning the same in the Record Room after arranging the same in accordance with the prescribed procedure. Inspection of Judicial Record by the Advocates of the pending cases and decided cases – who is to allow inspection and how inspection can be conducted. (Chapter 12, 14 & 16 Vol. 4 of Pb. & Hry. High Court Rules & Order)

1 unit

xii. Discussion regarding general instructions of consigning the decided cases in the Judicial Record Room, entering the same in the Register, supply of the goswara Numbers to the Courts, procedure to send the decided cases to the Courts as and when requisition is received. General Instructions regarding the time limit upto which a particular case can be retained or destroyed. (Chapter 16A, Vol. 4 of High Court Rules and Order)

2 units

xiii. Discussion and interaction regarding the working of the copying agency – who can submit an application for the supply of a certified copy, who are entitled to get certified copies free of cost, who is authorized to allow the certified copy of the Orders/Documents. The procedure regarding scrutiny of applications, rejection of applications, instructions regarding preparation of copies, delivery of the same, and copies of which documents cannot be allowed. Maintenance of various Registers and how the applicant is made aware that certified copies are ready. (Chapter 17 Vol. 4 of High Court Rules & Order)

2 units

xiv. General interaction regarding correspondence with Hon’ble High Court, District & Sessions Judge, other Officers and in which cases and other Officers. Various reports and returns required to be sent by the Presiding Officer to the Courts of CJM, Civil Judge (Sr. Divn.) Ld. District & Sessions Judge, either monthly, quarterly, six monthly or yearly in respect of Civil and Criminal work. (Chapter 19 Vol. 4)

1 unit

xv. Various types of Registers/Forms of Civil cases in terms of the provisions contained in part A-IV/A-I and A-II to be discussed as to how the forms are to be filled in. The entries in the Registers must be made in accordance with the columns. (Chapter 24 Vol. 4)

2 units

xvi. Various types of Forms as mentioned in Part B-I , B-II and the Registers and Registers as mentioned in Part B-IV of High Court Rules and Orders Volume VI to be discussed. The entries in the Registers must be made in accordance with the columns. (Chapter 25 Vol. 4)

2 units
xvii. General procedure regarding summary trial, cases under the Indian Arms Act, the Punjab Excise Act, Narcotic Drugs and Psychotropic Substances 1985, The Punjab Laws Act, cases against the Govt. servants (Chapters 2, 3, 5 and 6 of High Court Rules and Orders Vol. 3) 1 unit

xviii. Maintenance cases under section 125 Cr.P.C., cases relating to offences effecting the administration of justice and contempt of court, summoning of witnesses in criminal cases and payment of diet money, bail matters. (Chapters 7, 8, 9, 10 of High Court Rules and Orders Vol. 3) 1 unit

xix. Relations between the Police and Magistrates and allied matter, remand of the accused to police custody/judicial custody, identification parade, cancellation of cases reported by the police, case property sent to the court, police diaries and statements recorded by the police and to which extent they can be used, confessions and statements u/s 164 CrPC (Chapters 11, 12 & 13 of High Court Rules and Orders Vol. 3) 1 unit

xx. Dying declaration, approvers, proceedings against absconders and recording of evidence in their absence, execution of sentence, probation, legal aid to the poor, transfer of cases (Chapters 13-A, 14, 15, 20, 21, 24-C & 26 of High Court Rules and Orders Vol. 3) 1 unit

Coverage of substantive law under the following Acts

Hindu Law

Section 96 General provisions regarding validity of marriage, grant of divorce by mutual consent and whether statutory period of 6 months can be waived, and restitution of conjugal rights etc. (Sec. 5, 13 B of HMA) 2 units

Section 97

i. Grant of maintenance in pending matrimonial disputes under various enactments and their additions, alterations, modifications and recovery. (Sec. 24, 26 HMA) & 125 Cr.P.C.

ii. The officers would be required to write a speaking order disposing of an application for the grant of interim maintenance. Facts are to be given by the concerned Faculty Member. 2 units

Section 98 How the joint Hindu property of a Hindu governed by Mitakshra School of Law is to be divided after the amendment of the Hindu Succession Act in the year 2005. Discussion and interaction with update case law on the subject. 1 unit

Section 99 How the property of a Hindu is to be divided when he dies leaving behind class 1 heirs or class II heirs only. Discussion and interaction with update case law on the subject. 1 unit

Section 100 What are the circumstances in which a petition for restitution of conjugal rights can be filed under the provision of Hindu Marriage Act/Special Marriage Act, 1954? Discussion and interaction with update case law on the subject.

A petition is filed by the petitioner under section 9 of the Hindu Marriage Act, 1955. Full facts are to be given from the decided file and the TJOS are required to pass a speaking judgment. 2 units

Section 101

i. In what circumstances maintenance can be granted to the wife, children, widowed daughter-in-law, aged parents or other dependents and the criterion for fixing the maintenance to be followed by the court. Discussion and interaction with update case law on the subject.
ii. To dispose of the application filed by wife and two minor children for claiming maintenance from the husband. Facts and material to be supplied by the Faculty Member. 2 units

**Section 102**  
Joint family property. Whether there is any presumption of a property being Joint Family Property? How and in what circumstances Joint Hindu Family property may be used in common? 1 unit

**Section 103**  
Ancestral property. How it would different from separate property. 1 unit

**Section 104**  
Devolution of interest in coparcenary property. Exercise would follow.

**Section 105**  
General Rules of Succession in Males and Females. Practical exercises would be made and some cases constitute would be given from already decided cases. 2 units

**Section 106**  
Escheat. When succession opens, how succession comes to close? When a property is escheated to the State. 1 unit

**Section 107**  
Testamentary succession. How a Will is different from other documents so far as execution thereof is concerned. What is the difference between testamentary and non-testamentary succession? 2 Units

**Other Acts**

The **Indian Contract Act, 1872**

**Section 108**  
i. When an agreement would be void? Can a void agreement be enforced, if not why? What is a voidable contract? What is difference between a voidable contract and a void contract? 2 units

ii. What are quasi contracts? How a suit for quasi contract is different from a suit for specific performance of an agreement? 1 unit

iii. How breach of contract is redressable at law? What are remedies available to beneficiary of a contract? 1 unit

iv. What are damages? How these are calculated? How liquidated damages are to be different from unliquidated damages? What is their practical importance? 2 units

v. What is an agreement? Is it necessarily to be registered? What is hire purchase agreement? (Practical exercise would include copy of an agreement and copy of higher purchase agreement to be supplied to the trainees for understanding essential features of an agreement as also of hire purchase agreement and how to interpret these documents?) 1 unit

vi. What is contract? How a contract differs from an agreement in legal parlance? Examples. 1 unit

vii. Who is competent to contract? 1 unit

The **Specific Relief Act, 1963**

**Section 109**

i. Suit for specific performance with an application for the grant of interim stay. General principles with latest law on the subject to be discussed. (Sec. 12)
An application is given by the plaintiff for the grant of interim stay restraining the defendant from selling the property. Speaking order to be passed. 2 units

Section 110

i. Principles to be discussed regarding filing of the suit for declaration under the Specific Relief Act, 1963 without consequential relief or with consequential relief along with an application for the grant of interim stay. (Sec. 34) 5 units

ii. Facts of the case are to be given requiring the officers to dispose of an application for the grant of interim stay.

Section 111

Suit for possession of land by the plaintiff when one is owner and he has been dispossessed. To be discussed along with the provision of limitation act, 1963. (Sec. 5) 1 unit

Section 112

Suit for possession by the plaintiff when one is not owner of the property but has been dispossessed within a period of six months from the date of dispossession. General provisions to be discussed with latest judgments of the court. (Sec. 6) 1 unit

Section 113

How preventive relief can be granted by the court either temporarily or permanently? What are the essential requisites for grant of temporary or permanent injunction? Discussion and interaction with update case law on the subject. (Sec. 36 to 42) 1 unit

Section 114

‘A’ being a co-sharer files a suit against ‘B’ another co-sharer for seeking permanent injunction restraining ‘B’ from raising construction in the part of the joint property in possession of ‘B’ although ‘A’ himself has constructed a house in the part of the joint property in his possession. Facts, material and evidence to be supplied by the Faculty member. (Sec. 36 to 42) 1 unit

Section 115

What is mandatory injunction and when it can be granted by the court? Discussion and interaction with update case law on the subject. (Sec. 36 to 42) 1 unit

Section 116

‘A’ entered into an agreement to purchase a house from B but later on B did not agree to the sale deed. Full facts to be given from the decided file. The TJOS required to pass a detailed judgment. 2 units

Section 117

A person is dispossessed from his house and he files a suit for possession of the house within the period of 3 months from the date of his dispossessed. Full facts and evidence to be given to the Officers from the decided file. The TJOS required to pass a detailed judgment. 2 units

Section 118

‘A’ entered into an agreement to purchase a house from B but later on B did not agree to the sale deed. Full facts to be given from the decided file. The TJOS required to pass a detailed judgment. 2 units

Section 119

‘A’ files a suit for the possession of the house on the basis of the title. Full facts to be given from the decided file. The TJOS required to pass a detailed judgment. 2 units
Section 120  ‘A’ files a suit for the recovery of a sum of Rs. 1 lacs on the basis of a pronote. Full facts to be given from the decided file. The TJOs required to pass a detailed judgment. 2 units

Section 121  ‘A’ files a suit for declaration that B is the owner of the particular property. Full facts to be given from the decided file. The TJOs required to pass a detailed judgment. 2 units

Section 122  ‘A’ files a suit for permanent injunction. Full facts to be given from the decided file. The TJOs required to pass a detailed judgment. 2 units

Section 123  ‘A’ files a suit for mandatory injunction. Full facts to be given from the decided file. The TJOs required to pass a detailed judgment. 2 units

Section 124  ‘A’ files a suit for change of date of birth. Full facts to be given from the decided file. The TJOs required to pass a detailed judgment. 2 units

Registration Act, 1908

Section 125  Documents of which registration is compulsory (Section 17). What is the logic behind registration of a document? why registration in some cases is made compulsory? 1 unit

Section 126  Documents of which registration is optional (Section 18). If a document is optionally registered would still require attesting witnesses to be produced to prove the same? Exercise would follow. 1 unit

Section 127  What is the effect of non registration of the document and for what purpose they can be read. 1 unit

Section 128  Documents executed out of India (Section 26). How a power of attorney executed in Landon is to be evaluated? Citing examples unconstructive, essential would follow for exercise. 1 unit

Section 129  Registration with regard to Wills (Section 27). Exercise would follow. 1 unit

Section 130  Persons exempt from appearance at registration office (Section 38). Details would follow. 1 unit

Indian Succession Act, 1925

Section 131  The various provisions regarding Attestation, Revocation, Alteration, revival and construction of wills. (Chapter V & VI of the Indian Succession Act, 1925) 1 unit

Section 132  i. Interaction regarding Succession Certificates and extension/revocation of succession certificates and mode of collecting court fee on such certificates

ii. An application is moved by the petitioner for the grant of succession certificate. Full facts to be given from the decided file. The TJOs required to pass a detailed order. 2 units

Section 133  Testamentary dispositions or Wills. How section 63 of the Indian Succession Act? Sections 68 and 69 of the Indian Evidence Act co-exist. 2 Units
**Transfer of Property Act, 1882**

**Section 134**
What is the difference between lease and licence. What is exchange. General discussion regarding various kinds of mortgagees. (Sec. 105 – 121) 1 unit

**Section 135**
What is the doctrine of lis pendens under the Transfer of Property Act. General discussion with latest law on the subject. (Sec. 52 of Transfer of Property Act) 1 unit

**Section 136**
Transfer by ostensible owner (Section 41). Who is a bonafide purchaser? How an ostensible owner would be different from an actual owner? What kind of proof would be required in a suit filed by a subsequent vendee claiming his title to a land? 1 unit

**Section 137**
General Discussion regarding ejectment of tenant after serving notice under section 106 of the Transfer of Property Act, 1882. 1 unit

**Section 138**
Execution. What are requirement of execution of a document? How the court should appreciate and evaluate evidence when a sale deed has been executed in favour of a teacher by his student when he comes of age and feels obliged for the free services of tuition extended to him throughout? 1 unit

**Section 139**
Types of mortgages. Exercise would follow. 1 unit

**Section 140**
Once a mortgage always a mortgage. Recent Law on usufructuary mortgage. Making comparison with different mortgagees making pairs thereof. How a sale is different from a conditional mortgage? What is usufruct, how it is? Exercise would follow. 1 unit

**Section 141**
Lease and licensee. Where copy of a lease deed as also of a licence would be supplied for assessing different combinations and evidentiary value? 1 unit

**Section 142**
Gifts. When a gift is revocable? A father having gifted his residential plot to his son wants to revoke the same as after such gifts that son has stopped rendering services to him. What kind of advise you will give to father? What steps should be taken by son to protect his gift? There would be made two groups of trainees and exercise would be followed. 1 unit

**The Limitation Act, 1963**

**Section 143**
What is adverse possession and how the ownership is acquired on the basis of adverse possession? Discussion and interaction with update case law on the subject. (Sec. 27) 1 unit

**Section 144**
How the limitation period for suits, petitions and applications is to be computed? What is the duty of the court, if a suit, petition or application is found to be barred by time? Discussion and interaction with update case law on the subject. 1 unit

**Section 145**
To dispose of an application filed by ‘A’ for setting aside ex-parte decree in favour of ‘B’. ‘A’ initially appeared in the suit but later absented and after six months of that exparte decree was passed in favour of ‘B’. Facts to be given by the Faculty member. 1 unit

**Section 146**
What is easement – how easement right is acquired by prescription. Discussion and interaction with upto date case law. 1 unit
Section 147 An application is moved for the grant of stay restraining the defendants from depriving the plaintiff from the easementary right of light and air. Facts are to be given by the Faculty Member and officers to pass a speaking order. 1 unit

The Indian Partnership Act, 1932

Section 148 Effect of non-registration of firm. Dissolution of firm and liability of partners. (Sec. 69 Indian Partnership Act) 1 unit

Section 149 Relation of partners to third parties. How partnership is different from a proprietorship, society and a company.
Exercise would follow. Whether one among many partners can dissolve the firm. How third parties are to act in relation to partners of a firm. How a registered partner is different from a partner by holding out. Are there any different legal consequences, which would follow? 2 units

Section 150 Dissolution of Firm. Whether a partnership at will needs a formal document of dissolution to put an end to it? What are consequences of dissolution of a firm, is there any difference between dissolution of a firm and winding up of a company? 1 unit

The Sales of Goods Act

Section 151 Difference between condition and warranty, rights of sellers and buyers to be discussed under the Sales of Goods Act. (Sec. 11 – 16, 45 -54 of Sales of Goods Act) 1 unit

The Legal Services Act, 1987

Section 152 In what cases legal aid can be provided to the needy persons and what is the role of judicial officer in such cases when one is not in a position to engage an advocate. Role of the Judicial Officers regarding the functioning of the Lok Adalat to be discussed. 1 unit

The Rent Restriction Acts as applicable in the State of Punjab & Haryana

Section 153 General principles laid down for determination of fair rent, revision of fare rent in certain cases. Discussion and interaction. 1 unit

Section 154 General discussion of the various grounds for eviction of the tenant can be ordered by the Rent controller under section 13 of the Act. 1 unit

Section 155 A landlord is retiring from Govt. service and he files a petition for the eviction of the tenant under section 13-A of the Act. The tenant resists the application. Complete facts will be given to the TJOs from a decided file and the TJOs required to pass a detailed order. 1 unit

Section 156 A rent petition is filed by the landlord that the tenant has made material additions and alterations thereby diminishing the value and utility of the demise premises. Full facts to be given from the court file. The TJOs required to pass a detailed order. 1 unit

Section 157 Rent petition for eviction on the ground that the respondent has sublet the premises without the permission of the landlord and has not made payment of rent. Full facts to be given from the decided file. The TJOs required to pass a detailed order. 1 unit
The Right to Information Act, 2005

Section 158 To whom request is to be made for seeking information under this Act and what are the exemptions provided under the act for not supplying information. Discussion and interaction with update case law on the subject. 3 units

Criminal Law

In the following module of Criminal law, starting from the FIR, whenever a case or an application is to be disposed of, a Zimni order is required to be made/recorded. Accordingly, the requisite emphasis shall be placed in making the TJOs, conversant with the writing of Zimni orders with requisite nuances.

Section 159 First Information Report (F.I.R): who can lodge FIR, whether recording of FIR is mandatory, whether copy of FIR is to be sent to the Magistrate, how to check antedating of FIR, use of FIR, value to be attached to the FIR, omissions in FIR, delay in lodging FIR and whether FIR is a public document. (Relevant provisions are section 154 Cr.P.C, Sections 74, 76, 145 & 155 etc. of the Evidence Act, with specific reference to the law laid down in Jarnail Singh vs. State of Punjab 2009(4) RCR(Crl.)254 SC and R. Venkatakrishnan vs. C.B.I. 2009(4) RCR (Crl.)143 SC.

Discussion and interaction with latest case law. 2 units

Section 160 Police remand, Judicial Remand, Transit remand
For how many days a person can be kept in police custody in a criminal case, what factors are to be taken into consideration while granting police remand, what police record is to be seen and taken into consideration, whether counsel at state expense can be granted at the stage of remand and if so in what cases, whether case diaries are required to be signed by the Magistrate while deciding the application for police remand of an accused. Whether it is mandatory on the part of the Magistrate to inform accused about free legal aid when he cannot defend himself due to his financial position. (Section 167 of the CrPC and Section 304 of the CrPC etc.)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty Member/Resource Person. 3 units

Section 161 Judicial Remand (under section 309(2) of CrPC)
Whether Magistrate can remand an accused person to custody under section 309 (2) of CrPC for a term exceeding 15 days at a time and whether after taking cognizance, power of remand is to be exercised under section 309 of CrPC especially in view the law laid down in CBI vs. Anupam Kulkarni AIR 1992 SC 1768.

Discussion and interaction with latest case law to be followed by two exercises, facts of which will be given by the Faculty member/Resource person. 2 units

Section 162 Inquest proceedings & Inquiry by Magistrate with cause of death & Inquiry by Judicial Magistrate with offences of custodial rape or custodial death The use of the inquiry report of Judicial Magistrate in the subsequent trial of accused. (S. 174 to 176 Cr. P.C. & S. 144, 155 Trial Act). Discussion & interaction with latest case law. 1 unit

Section 163 General provisions in the CrPC regarding arrest of the persons with specific emphasis regarding obligations of the persons making arrest, to inform about the arrest etc. to a nominated member, protection of members of armed forces from arrest, arrest of women after sunset and before sunrise, medical examination of accused at the request of the police, medical examination of the person accused of rape, medical
examination at the request of the accused (Sections 50A and Sections 41 to 60 of CrPC)

Discussion and interaction with latest case law to be followed by three exercises, facts of which will be given by the Faculty Member/Resource Person. 3 units (2 units)

Section 164 Provisions for issuing process to compel appearance by way of summons, how to serve the summons on corporate bodies and societies, when person summoned cannot be found, when service is to be effected on Govt. servants, services of summons outside local limits, form of warrant of arrest and duration, power to direct security to be taken, warrants directed to police officers, warrant forwarded for execution outside jurisdiction, warrant directed to police officer for execution outside jurisdiction, procedure on arrest of person against whom warrants were issued, proclamation of persons absconding, attachment of property of absconding persons, issue of warrant in lieu of or in addition to summons, arrest on breach of bond for appearance etc. and whether a warrant can be issued for the appearance of the witness. (Sec. 87 CrPC and Sections 61 to 90)

Discussion and interaction with latest case law. 3 units

Section 165 Processes under the CrPC to compel production of documents and things etc. (Sections 91, 92 to 105 of the CrPC and Sec. 162 of the Indian Evidence Act).

Discussion and interaction with latest case law to be followed by an exercise facts of which will be given by the Faculty Member/Resource Person. 2 units

Section 166 Difference between a statement recorded under section 164 of the CrPC and a statement recorded under Section 32 of the Indian Evidence Act and what procedure you will adopt where a minor is involved including a minor below seven years. (Section 118 of the Evidence Act)

Discussion and interaction with latest case law to be followed by two exercises, facts of which will be given by the Faculty Member/Resource Person. 3 units (1 unit)

Section 167 Disposal of an application filed by the wife and her minor children including an application for interim maintenance under Section 125 CrPC as well as an application for its execution under Section 125 (3) of the Criminal Procedure Code.

Discussion and interaction with latest case law followed by two exercises, facts of which will be provided by the Faculty Member/Resource Person 3 units (1 unit)

Section 168 Determination of jurisdiction of the criminal courts in inquiries and trials with specific reference as to whether a person can be tried in India when he has committed an offence abroad. (Sec. 188 of CrPC and sections 177 to 187 and 189.

Discussion and interaction with latest case law, followed by two exercises facts of which will be given by the Faculty Member/Resource Person. 3 units

Section 169 Taking cognizance of an offence in a complaint case which is punishable with imprisonment upto seven years and onwards. (Relevant provisions of law are section 190(1) and sections 200 and 204 of the CrPC with specific reference to law laid down in Cref Finance Ltd. vs. Shree Shanti Homes (2005)7 SCC 467.

Discussion and interaction followed by two exercises facts of which will be given by the Faculty Member/Resource Person. 2 units
Section 170  Factors to be taken into consideration on a charge sheet submitted by the local police in a warrant case trialable by Judicial Magistrate Ist class  (Chapter 19, Sections 238 to 243 and Sec. 248 of the CrPC)
Discussion and interaction followed by an exercise facts of which will be supplied by Faculty/Resource Persons.  2 units

Section 171  Factors to be taken into consideration for trial of warrant cases other than police report under Section 173 of CrPC.(Chapter 15 Secs. 200 to 203 Cr.PC etc.)
Discussion and interaction with latest case law, to be followed by an exercise, facts of which will be given by the Faculty Member/Resource Person.)  3 units

Section 172  A summons case and its implication, the procedure for trial of the same.  (Chapter 20 section 251 to 259 CrPC)
Discussion and interaction with latest case law followed by two exercises, facts of which will be given by the Faculty Member/Resource Person.)  3 units

Section 173  Summary trial in criminal cases, the procedure for trial of summary cases and how it is different from the summons cases.  (Chapter 21 of CrPC Sec. 260 to 265 CrPC and Chapter 20 of the CrPC)
Discussion and interaction with latest case law to be followed by two exercises, facts of which will be given by the Faculty Member/Resource Person.)  3 units

Section 174  Protest petition in the criminal cases, how to proceed with the trial of a police case and counter complaint case. (Sec. 173 of CrPC, Section 190 CrPC and Section 210 of the CrPC)
Discussion and interaction with latest case law to be followed by three exercises, facts of which will be given by the Faculty Member/Resource Person.)  4 units

Section 175  Power with the criminal court to stop the investigation in a summons case registered by the police, in which investigation has not been completed within 6 months from the date of arrest of the accused and if so under what provisions of law. (Sec. 167(5) of CrPC.)
Discussion and interaction with latest case law followed by an exercise, facts of which will be given by the Faculty Member/Resource Person.)  2 units

Section 176  Factors to be taken into consideration for framing charges and what persons may be charged jointly, concerning offences under sections 406 to 409 IPC,(criminal misappropriation) (Relevant provision of law (Chapter 17section 211, 218, 219, 223 CrPC)
Discussion and interaction with latest case law followed by two exercises, facts of which will be given by the Faculty Member/Resource Person.  3 units

Section 177  Factors to be taken into consideration for framing charges relating to extortion with reference to robberies. (Sections 390, 392 of the IPC) while framing a charge sheet in this regard.
Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty Member/Resource Person.)  2 units

Section 178  Difference between robbery (sec. 392 of the IPC) and Dacoity (Sec.395 of the IPC) and what factors you will take into consideration for framing charges under section 392 of the IPC)
Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty Member/Resource Person.)  1 unit

Section 179  Difference between theft, criminal misappropriation and criminal breach of trust.  1 unit
Section 180  Difference between Theft (Section 379 IPC) and dishonestly receiving stolen property, known to be stolen property (section 411 IPC). What factors will you take into consideration while framing charge under section 379 IPC or alternatively under section 411 of the IPC.

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty Member/Resource Person. 1 unit

Section 181  Difference between criminal force (Section 350 IPC and assault (Section 351 IPC), What factors you will take into consideration while framing charges under sections 350 and 351 IPC.

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty Member/Resource Person. 1 unit

Section 182  Difference between kidnapping (Sections 359, 360 and 361 IPC and abduction (Section 362 IPC) What factors you will take into consideration while framing charges under sections 363 IPC.

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty Member/Resource Person. 1 unit

Section 183  Difference between wrongful restraint (Sec. 341 IPC) and wrongful confinement (Sec. 342 IPC) what factors you will take into consideration while framing charges under sections 341 & 342 IPC.

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty Member/Resource Person. 1 unit

Section 184  Define cheating (Sections 415 to 420 IPC) What factors you will take into consideration while framing charge for an offence under section 420 of the IPC.

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty Member/Resource Person. 1 unit

Section 185  Define mischief (Section 425 to 435 IPC) What factors you will take into consideration while framing a charge under section 428 of the IPC.

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty Member/Resource Person. 1 unit

Section 186  Provisions of Plea Bargaining in criminal trial cases, How can an accused get benefit in a sentence under this concept of Plea Bargaining  (Chapter 21A of the CrPC)

Discussion and interaction with latest case law to be followed by two exercises, facts of which will be given by the Faculty Member/Resource Person. 3 units

Section 187  Methodology to be adopted to record the evidence of a chance witness, interested witness, injured witness, partisan witness, official witness, rustic witness etc. in criminal trial cases (Sections 59 & 60 & Sec. 135 to 165 of the Evidence Act)

Discussion and interaction with latest case law to be followed by three exercises, facts of which will be given by the Faculty Member/Resource Person. 4 units (2 units)

Section 188  Scope under the Indian Evidence Act and Cr.PC qua recording evidence of the witnesses in criminal cases, effect of incomplete cross examination, refusal to allow cross examination, failure to cross examine the witness, scope of re-examination, effect of tendering a witness for cross examination. In what cases court can summon a witness under section 311 of the CrPC (Sec. 138 of the Evidence Act & Sec. 311 of the CrPC)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty Member/Resource Person. 1 unit
Section 189  Law regarding hostile witnesses, during the recording of the evidence in the criminal case a witness has turned hostile. How would you deal with the evidence of such a witness and what is the evidentiary value of such a witness. (Sec. 154 & 155 of the Indian Evidence Act)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person. 2 units

Section 190  Law regarding child witness, what is the evidentiary value of a child witness and what factors will be taken in view before recording the statement of a child witness aged about 8-9 years in a criminal case. (Sec. 3 and 118 of the Evidence Act and law laid down in Rameshbhai Chandubhai Rathod vs. State of Gujarat 2009(3) RCR(Crl.)618 S.C.)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person. 2 units

Section 191  Procedure for recording evidence of dumb witness, how would you record the evidence of a dumb witness in a criminal case for offence under section 326 of the IPC. What factors you will take into consideration while recording such a statement. (Sec. 3 and Section 119 of Indian Evidence Act).

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person. 2 units

Section 192  Powers of the criminal court for examination of witnesses in criminal cases on commissions and who are authorized to record evidence in this regard. (Sections 284 to 291 of CrPC)

Discussion and interaction with latest case law to be followed by two exercises, facts of which will be given by the Faculty Member/Resource Person) 3 units

Section 193  Principles behind the concept of free legal aid in criminal trial cases and its changing dimensions in view of the interpretations being given by the Supreme Court of India. (Section 304 of CrPC).

Discussion and interaction with latest case law to be followed by two exercises, facts of which will be given by the Faculty Member/Resource Person.) 3 units

Section 194  Forums competent to try the juveniles for various criminal offences and how would you determine the age of the juvenile with special reference as to whether it should be the day of commission of the offence or on the date of decision of the inquiry/trial, as provided under the juvenile justice Act.

Discussion and interaction with latest case law to be followed by two exercises, facts of which will be given by the Faculty Member/Resource Person.) 2 units

Section 195  Procedure to deal with cases coming up before you on the criminal side involving persons of unsound mind (Relevant provisions Sec. 84 and 89 of the IPC and Chapter 25 Sec. 328 to 339 CrPC).

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty Member/Resource Person.) 2 units

Section 196  Law regarding plea of alibi, whether plea of alibi can be taken by an accused person facing a criminal trial and who is to discharge the burden of proof in this regard i.e. whether prosecution or accused. Is plea of alibi admissible in evidence? If, so under what provisions of law. Whether adverse presumption can be drawn against the accused for his failure to prove plea of alibi or the prosecution is to prove its

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member. 3 units (1 unit)

Section 197

Law regarding unsoundness of mind, an accused person during the course of trial take up the plea of insanity in a criminal case. On whom this burden of proof, will lie that is the prosecution or the accused. What factors will be taken into consideration while appreciating the evidence in this regard by the criminal court. (Sec. 3 & 105 of the Evidence Act)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member. 3 units (1 unit)

Section 198

Jurisdiction and the powers of the Chief Judicial Magistrate, Sessions Judges and Hon’ble Judges of the High Court regarding transfer of criminal cases from one court to another. Whether a chief Judicial Magistrate a Sessions Judge can transfer a part heard case in which some evidence has been recorded from one court to another. If so under what circumstances and under what provisions of law. (Chapter 31 Sections 407 to 410 & 412 of CrPC and 192 CrPC)

Discussion and interaction with latest case law to be followed by two exercises, facts of which will be given by the Faculty Member/Resource Persons.) 2 units

Section 199

Principles of law regulating the grant of regular bail including anticipatory bail granted by the superior courts (Sections 436, 436A, 437 and 438 of the Cr.P.C.).

Discussion and interaction with latest case law to be followed by two exercises, facts of which will be given by the Faculty Member/Resource Person) 3 units

Section 200

Principles of law enabling a criminal court to cancel the bail bond and surety bond. What is the procedure prescribed under the law for the discharge of sureties and how will you proceed when the bail bond has been forfeited. (Sec. 436 to 450 CrPC)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty Member/Resource Person.) 2 units

Section 201

In a private complaint in a criminal case, sufficient evidence has not come on record for summoning of an accused. Write an order of dismissal of complaint u/s 203 of CrPC.

Discussion and interaction with latest case law to be followed by an order of dismissal, facts of which will be given by the Faculty Member 1 unit

Section 202

Law regarding exemption from appearance of an accused in a criminal case. An application is moved for grant of exemption in a criminal court for an offence punishable under section 326 of the IPC by the accused. How will you dispose of the application and what factors will be taken into consideration in this regard. (Sec. 205 of CrPC and case law Lily Begum vs. Joy Chandra Nagbanshi (1994)2 SCC 39) 2 units

Section 203

(i) Law relating to commitment of cases, write a commitment order in a police challan case for an offence punishable with imprisonment under section 302 of IPC. What factors you will keep in mind at the time of committing a case to the court of sessions exclusively triable by the court of session for offences under section 302 of IPC etc. Whether at the stage of commitment, you are supposed to record the evidence of any
person/witness. If so under what circumstances. (Chapter 16 Section 204 to 210 CrPC)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty Member/Resource Person)

(ii) Write a commitment order in a cross case under section 302 IPC & 324 IPC

Section 204 Factors to be kept in view while releasing a person found guilty of a criminal offence under sections 3 and 4 of the Probation of Offenders Act, 1958. (Sections 3 & 4 of the Probation of Offenders Act, 1958 and law laid down in Halappa & Ors. vs. State of Karnataka 2009(4) RCR(Crl.)195 S.C.)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty Member. 1 unit

Section 205 (i) Factors to be considered under the Probation of Offenders Act, 1958, while releasing a person after admonishing him under section 3 of the Act ibid, whether an order of supervision as contemplated under the Act can also be passed. (Section 3 of the Probation of Offenders Act and Factors to be considered, where a person is ordered to be released under sections 3 or 4 of the Probation of Offenders Act, 1958 disqualifications attached with conviction which a person will or will not suffer when released under the probation of offenders Act.

Discussion and interaction with latest case law. 1 unit

Section 206 Law regarding disobedience of orders of the court, when a witness disobeys the orders and do not appear in pursuance of the summons issued, whether the criminal court can punish him for his non appearance and disobedience. If so, what is the maximum punishment provided under law. (Sec. 350 of CrPC)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty Member/Resource Person.) 2 units

Section 207 Whether it is mandatory on the part of the presiding officer after the close of the prosecution evidence warranting conviction of the accused in a criminal case to examine him with specific evidence coming up against him and if so under what provisions of law. (Sec. 313 of the CrPC).

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty Member/Resource Person.) 1 unit

Section 208 Procedure for proving report of the chemical examiner, post mortem report etc. and whether the accused can insist summoning of the chemical examiner/analyst who submitted the report for the purpose of cross examination and if so under what circumstances and under what provisions of law (Sec. 294 of the CrPC)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty Member/Resource Person) 1 unit

Section 209 During recording evidence in a criminal trial case, it has come in evidence that some accused other than the accused sent up for trial has committed the same offence for which other accused are facing trial. What factors you will take into consideration to summon the accused and the procedure prescribed. (Sec. 319 of the CrPC and judgement in Reeta Nag vs. State of West Bengal & Ors 2009(4) RCR(Crl.)208 S.C.,
Compounding of offences, what type of offences under the criminal law with or without the consent of the court in which the cases are pending for trial can be compounded. If so by whom and at what stage of the case and the factors to be kept in view while deciding such type of cases/applications. (Sec. 320 of the CrPC)

Absence of charge, what is the effect of non framing of a charge or error in-charge in a criminal case, which has already ended in conviction. Whether non framing of charge would vitiate the conviction if no prejudice is caused there by to the accused. (Sec. 464 of the CrPC and the law laid down in Kanmari Brahmaiah v. Public Prosecutor (1999) 2 SCC 522.

Law regarding release of case property seized during the investigation and not produced in the court, release of the case property during the pendency of the trial and release of the property after the decision of the case. What factors will be taken into consideration by the criminal court at the time of passing orders on the above said three situations. (Sec. 451, 452 and 457 of the CrPC).

Factors to be taken into consideration while ordering investigation by the criminal court under the provisions of section 156(3) of the Cr.PC. At what stage of the case a Magistrate can order investigation under section 156 (3) of the CrPC i.e. whether at the pre-cognizance stage or otherwise after taking cognizance. (Section 190 and 156 (3) of the CrPC, Sections 190, 200, 204 Tula Ram & Ors. vs. Kishore Singh (1977) 4 SCC 459., Sakiri Vasu vs. State of U.P. & Ors (2008)2SCC409)
gap of sometime or you should decide both the cases separately and deliver the judgments in both the cases simultaneously.

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person 3 units (2 units)

Section 216  Release of driving licence and registration certificate, you have decided a case under section 304-A of the IPC and after the decision of the case the accused who had been acquitted files an application for the release of the registration certificate/driving licence. How would you decide this application. (Sec. 457 of CrPC)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person 3 units (2 units)

Section 217  Law regarding proclaimed offenders, an application is moved in your court as a judicial Magistrate First Class in which it is stated that ‘A’ a convict has escaped, ‘B’ is a proclaimed offender and ‘C’ is an accused of a non bailable offence and is evading arrest. Whether in these situations you can direct a warrant to any person for the arrest of the convict, proclaimed offender etc. etc. If so under what provisions of law. (Sec. 73 of CrPC)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person 1 unit

Section 218  Law regarding identification of Person/property, an application is moved for conducting test identification parade of some persons as well as regarding case property. What factors you will take in view while ordering identification parade in respect of persons as well as property. (Sec. 54A of CrPC and Sec. 9 of the Indian Evidence Act)

Discussion and interaction with latest case law to be followed by two exercises, facts of which will be given by the Faculty member/Resource Person 3 units

Section 219  Law regarding transfer of cases, an application is moved in the court of Chief Judicial Magistrate for the transfer of a case from one court subordinate to him to another court. What factors will be taken into consideration while deciding the transfer application. (Sec. 410 of CrPC)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person 1 unit

Section 220  Law regarding evidence on affidavits, in a criminal trial the prosecution wants to produce the evidence of certain witnesses by way of affidavits and moves an application before you as a trial court judge. How would you decide this application taking into consideration the legal provisions under the law. (Secs. 295 & 296 of the CrPC)

Discussion and interaction with latest case law, to be followed by an exercise, facts of which will be given by the Faculty Member/Resource Person. 2 units

Section 221  Law regarding previous convictions in a criminal case. At the time of convicting of accused it is noticed by you that the accused was previously convicted of an offence under chapter XII or chapter XVII. What factors are to be considered & what procedure is to be followed for awarding enhanced punishment.

Discussions and interactions with latest case law to be followed by an exercise facts of which will be given by the Faculty Member. 2 units
Section 222  Law regarding proclaimed offenders, in a criminal case an accused person has absconded and there is no immediate prospect of his arrest. In such a situation whether in the interest of justice you can record the evidence of the witnesses produced by the prosecution in the absence of the accused. If so under what provisions of law and what will be the value of the evidence so recorded when the accused is arrested and produced during the trial of the case. (Sec. 299 of the CrPC)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person.  2 units

Section 223  Law regarding accomplice and approver, what is the difference between an accomplice and approver (Sec. 133 of Indian Evidence Act and Sec. 306 of CrPC)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person.  2 units (1 unit)

Section 224  Law regarding comparison of disputed documents, whether court can compare disputed document with admitted document in a criminal case. If so what factors are to be taken into consideration. (Sec. 73 of the Indian Evidence Act)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person.  1 unit

Section 225  Law regarding confessional statements, whether confessional statement recorded under section 164 of CrPC can be admitted in Evidence without examining the Magistrate in court who recorded the earlier statement under section 164 of CrPC (Sec. 80 of the Indian Evidence Act and the law laid down in Modi Ganga vs. State (1981 (2) SCC 224).

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person.  2 units (1 unit)

Section 226  Law regarding judicial confession and extra judicial confession, what is the difference between judicial confession and extra judicial confession? Who record the judicial confession? What factors are to be taken by the judicial Magistrate while recording a judicial confession in the course of judicial proceeding? What is the evidentiary value of the judicial confession made voluntarily by the accused. (Sec. 24 of the Indian Evidence Act)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person.  2 units

Section 227  Law regarding retracted confession, what is the evidentiary value of the retracted confession in a criminal case. (Sec. 24 of the Evidence Act)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person.  1 unit

Section 228  Law regarding extra judicial confession, what do you understand by extra judicial confession and whether exact words of extra judicial confession are necessarily to be brought on the record by way of evidence in order to accept the same for basing conviction of the accused or not. (Sec. 24 of the Indian Evidence Act and law laid down in Jagta vs. State AIR 1974 SC 1545 and Rameshbhai Chandubhai Rathod vs. State of Gujarat 2009(3) RCR(Crl)618 S.C.)

Discussion and interaction with latest case law to be
followed by an exercise, facts of which will be given by the Faculty member/Resource Person.  2 units

Section 229  Relevancy of motive, what is the value of a motive for the purpose of conviction in a criminal case? How motive can be proved. (Sec. 8 of the Indian Evidence Act)
Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person.  1 unit

Section 230  Law regarding Admissions and confessions, in what situations confession of one accused is admissible against the other accused. Whether in a case of conspiracy under section 120-B of IPC, confession of one accused is admissible against the other accused. (Sec. 10 and 24 & 30 of Evidence Act).
Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person.  1 unit

Section 231  Law regarding dying declaration, whether conviction of an accused in a criminal case can be based on the basis of a dying declaration without any collaboration. What factors will have to be kept in view while evaluating the evidence of dying declaration. (Sec. 32 of the Evidence Act and law laid down in Jaishree Anant Khandekar vs. State of Maharashtra 2009(3)RCR(Crl.)765 S.C.)
Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person.  2 units

Section 232  Law regarding production of witnesses and documents, whether it is necessary for the prosecution to produce all the sound witnesses as well as medical and other witnesses in a criminal trial and whether the court has any discretion to put questions in any form at any time to any witness or order production of any document for the just decision of the case. (Sec. 165 of the Indian Evidence Act)
Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person.  1 unit

Section 233  Law regarding issue estoppel/res-judicata, what do you understand by the term issue estoppel? Whether issue of a fact tried by a competent criminal court on a formal occasion would constitute as an estoppel or resjudicata against prosecution or not, where the accused was earlier acquitted and is being prosecuted for the same offence twice. (Sec. 300 of CrPC and Sec. 40 & 115 of the India Evidence Act)
Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person.  2 units

Section 234  Conflict between ocular and medical testimony, how will you deal with a criminal case in which there are discrepancies between ocular and medical testimony. What factors will be taken into consideration while appreciating evidence in this regard. (Sec. 3 & 45 of the Indian Evidence Act.)
Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person.  2 units

Section 235  Law relating to the weapon used, how would you deal with the evidence of medical expert qua the weapon of offence used in the commission of the crime. What factors you will keep in mind while evaluating the evidence on record for the purpose
of deciding a criminal case. (Sec. 3 & Sec. 45 of the Indian Evidence Act)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person. 1 unit

Section 236  
Law regarding open fights, in a criminal case both the parties have caused injuries to each other. It is an open fight and two separate police challans are submitted for trial before the court. How would you decide these cases including the element of mens rea and Lalkara involved in both the cases.

Discussion and interaction with latest case law to be followed by two exercises, facts of which will be given by the Faculty member/Resource Person. 3 units (2 units)

Section 237  
Law regarding mandatory sanctions, what is the role of sanctions as mandated in sections 196 and 197 of the CrPC in the trial of the criminal cases. Can a criminal court take cognizance and proceed with the trial of the case where statutory sanctions are a must to enable the court to proceed with the trial. In what cases prosecution can withdraw from the prosecution in a pending case. What factors will be taken into consideration while allowing or disallowing withdrawal of a case pending in a court and fixed for recording of evidence (Sec. 196, 197 and 321 of the CrPC)

Discussion and interaction with latest case law to be followed by three exercises, facts of which will be given by the Faculty member/Resource Person. 4 units

Section 238  
Law regarding plea of alibi, whether plea of alibi can be taken by an accused person facing a criminal trial and who is to discharge the burden of proof in this regard i.e. whether prosecution or accused. Is plea of alibi admissible in evidence? If, so under what provisions of law. Whether adverse presumption can be drawn against the accused for his failure to prove plea of alibi or the prosecution is to prove its case irrespective of the plea of alibi taken by the accused. (Sec. 11 of the Evidence Act and Law laid down in the Dharam Singh vs. State AIR 1993 SCC 319, Sakharam vs. State AIR 1992 SCC 758 Harchand vs. State AIR 1996 SCC 1477).

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person. 3 units

Section 239  
Law regarding resgeste, what do you understand by Resgeste. Whether it embodies the rule of admission of evidence. (Sec. 6 of the Indian Evidence Act and law laid down in G.V. Rao vs. State AIR 1996 SC 2791)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person. 2 units

Section 240  
Law regarding unsoundness of mind, an accused person during the course of trial take up the plea of insanity in a criminal case. On whom this burden of proof, will lie that is the prosecution or the accused. What factors will be taken into consideration while appreciating the evidence in this regard by the criminal court. (Sec. 3 & 105 of the Evidence Act)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person. 3 units (1 unit)

Section 241  
Law regarding won over witnesses, during the trial of a criminal case some of the witnesses were won over by the accused. Can those witnesses given up by the prosecution be examined by the accused as his witnesses and how will you appreciate the evidence of such witnesses. (Sec. 154 & 155 of the Evidence Act)
Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person. 2 units

Section 242 Law relating to public servants, who is a public servant. Whether judges of the High Court, Sessions Court and Subordinate Court are Public servants within the ambit of Sec. 21 of the IPC.

Discussion and interaction with latest case law. 1 unit

Section 243 Law regarding primary and secondary evidence, what is the difference between the primary and secondary evidence to be led in the trial of a criminal case and how would the evidence of the photographs, Photostat copy, carbon copy, copy of deposition of a person recorded in another criminal case as well as newspaper report will be dealt with, to be used, as a piece of evidence while deciding the criminal case. (Sec. 62 and 63 of the Evidence Act).

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person. 2 units

Section 244 Law regarding wrongful loss and wrongful gain, what is wrongful loss and what is wrongful gain in the trial of a criminal case? Factors to be considered in this regard. (Sec. 23 of IPC)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person. 2 units

Section 245 Law regarding common intention and common object, what is common intention (Sec. 34 IPC) and what is common object (Sec. 149 IPC). Complete record of a case in which the accused have been sent up for facing trial under sections 325, 323 read with 34 and 149 & 148 of the IPC will be given along with the charge sheet framed as well as the evidence recorded to the Trainee Judicial Officers so that they may write a judgment of acquittal or conviction.

Discussion and interaction with latest case law to be followed by writing of judgement. 1 unit

Section 246 Law of general exceptions in criminal cases, general exceptions as enumerated in Chapter 4 of the IPC from sections 76 to 101 of IPC & Sec. 105 of Evidence Act, will be interacted on the basis of various judgments so that the trainee judicial officers are enlightened as under what circumstances, the accused persons facing criminal trial are to be dealt with.

Discussion and interaction with latest case law to be followed by two exercises, facts of which will be given by the Faculty member/Resource Person. 4 units

Section 247 (i) Contempt of Lawful authority of public servants
(ii) Contempt of Courts Act

Discussion and interaction with latest case law. 4 units

Section 248 Law regarding link evidence, how to appreciate the link evidence in the trial of a criminal case under the Excise Act. (Sec. 3 of the Evidence Act)

Discussion and interaction with latest case law to be followed by an exercise, facts of which will be given by the Faculty member/Resource Person. 1 unit

Section 249 Law relating to licit and illicit liquor, what is licit liquor/ illicit liquor under the Excise Act? An accused was found distilling illicit liquor by means of a working still. The police has sent up a case under the Excise Act. The Judicial officers will be sensitized about licit and illicit liquor by the Faculty
Member/Resource Person and complete file of a decided case will be supplied to the Trainee judicial officers to enable them to write a judgment of acquittal or conviction as per evidence on record.

3 units (2 units)

Section 250  Law relating to false evidence/fabricating evidence, Chapter 11 containing sections 191 of IPC to 229A IPC are very important and relate to giving false evidence, fabricating false evidence, threatening any person to give false evidence, causing disappearance of evidence, intentional omission to give information of offence by person bound to inform, destruction of document or electronic record to prevent its production as evidence, false personation, fraudulent removal or concealment of property, harbouring offender, failure by person released on bail or bond to appear in court etc. etc. and will be discussed with the aid of the latest judgments on the issues to sensitize the judicial officers in this regard. 4 units (2 units)

Section 251  Law relating to sexual offences, what is meant by sexual offence under the criminal law with specific reference to molestation, rape, intercourse by a man with his wife during separation, intercourse by public servant with woman in his custody, intercourse by superintendent of jail/remand home, intercourse by any member of the management or staff of a hospital with any woman in that hospital, unnatural offences i.e. carnal intercourse against the order of nature with any man, woman or animal? (Secs. 354, 377, 375, 376, 377-A to 376-D & 509 of IPC etc.) Discussion and interaction with latest case law to be followed by two exercises, one under section 354 and another under section 377 of the IPC, facts of which will be given by the Faculty member/Resource Person. 3 units

Section 252  Law relating to extortion, what is extortion and putting a person in fear of injury in order to commit extortion? (Sec. 383 and 385 of the IPC). Discussion and interaction with latest case law to be followed by an exercise in which the complete evidence of the case will be given to the trainee judicial officers so as to enable them to write a judgement of acquittal or conviction. 1 unit

Section 253  Law regarding theft, what do you understand by theft and how the same is punished? (Sec. 378 IPC and 379 IPC) Discussion and interaction with latest case law to be followed by an exercise in which the complete evidence of the case starting from charge sheet will be given to the trainee judicial officers so as to enable them to write a judgement of acquittal or conviction. 1 unit

Section 254  Law relating to stolen property, what is stolen property? What are the provisions in criminal law to deal with persons who dishonestly receive or retain any stolen property knowing or having the reason to believe the same to be stolen property. (Sec. 410 & 411 IPC) Discussion and interaction with latest case law to be followed by an exercise in which the complete evidence of the case starting from charge sheet will be given to the trainee judicial officers so as to enable them to write a judgement of acquittal or conviction. 1 unit

Section 255  Law relating to cruelty, what do you understand by the term cruelty as referred in section 498A of the IPC? (Sec. 498 A of IPC) Discussion and interaction with latest case law to be followed by an exercise in which the complete evidence of the case starting from charge sheet will be given to the trainee
Section 256  
Law relating to breach of trust, what is criminal breach of trust, in terms of the provisions as contained in Sections 406 IPC and Sec. 409 IPC?

Discussion and interaction with latest case law to be followed by an exercise in which the complete evidence of the case starting from charge sheet will be given to the trainee judicial officers so as to enable them to write a judgement of acquittal or conviction.  
2 units

Section 257  
Law relating to assault/use of criminal force, what do you understand by the word use of assault or criminal force to women with intent to outrage her modesty as referred to in section 354 of IPC?

Discussion and interaction with latest case law.  
1 unit

Section 258  
Law relating to death by negligent act, what do you understand as to causing death by negligence as referred in section 304-A of IPC?

Discussion and interaction with latest case law to be followed by asking the trainee judicial officer to write a judgment of acquittal or conviction on the facts, charge sheet and evidence recorded, complete in all respect in an accident case arising out of the use of motor vehicle.  
3 units

Section 259  
Law regarding defamation, what do you understand by the word defamation as referred in section 499 of IPC? A complaint was filed in which following the complaint procedure, accused were summoned to face trial. Complete file of the decided case will be made available to the Trainee Judicial Officers to enable them to write a judgment of acquittal or conviction as per evidence of the case.  
3 units

Section 260  
Law relating to trial of Army personal, A challan was presented under section 173 of CrPC in which the allegations of committing an offence under section 326 of IPC as per version of the police is made out against a person who is in active service of the Indian Army as a serving captain. Whether you can try the case in the absence of the consent given by the commanding officer concerned. If so under what circumstances (Sec. 475 of CrPC)

Discussion and interaction with latest case law to be followed by an exercise facts of which will be given by the Faculty member/Resource Person  
2 units

Section 261  
Law relating to atrocities on SC/ST Persons, A challan under SC/ST Act, 1989 is presented in your court for the trial of a particular accused.

Discussion and interaction to be followed by an exercise, facts of which will be given by the Faculty Member/Resource Person to enable the trainee judicial officers to write a commitment order for committing the case to the special court.  
2 units

Section 262  
Law regarding Arms, what is meant by Arm as per Arms Act, 1959? A person is found in possession of a country made pistol. The police sent up the accused for trial under section 25 of the Arms Act.

Discussion and interaction with latest case law to be followed by an exercise in which the complete evidence of the case starting from charge sheet will be given to the trainee judicial officers so as to enable them to write a judgement of acquittal or conviction.  
3 units
Section 263  Law regarding Gambling in a public place, the local police have sent up certain accused to stand trial for an offence under the Gambling Act. Complete file of a decided case will be supplied to the trainee judicial officers to enable them to write a judgment of acquittal or conviction as per evidence on record. 2 units.

Section 264  Law relating to protection of women.

i. Can a complaint be filed by a female against another female, under the Protection of Women from Domestic Violence Act, 2005, and who can move an application before a Judicial Magistrate. Discussion and interaction with latest case law followed by an exercise, the facts of which will be provided by the Faculty member/Resource Person 1 unit

ii. What do you understand by Domestic Violence? What are the objects and reasons behind the enactment of protection of women from Domestic Violence Act. Discussion and interaction. 1 unit

iii. What are the duties of protection officers and service providers under the protection of women from Domestic Violence Act, 2005? Discussion and interaction. 1 unit

iv. What types of reliefs if found justifiable can be granted to the aggrieved person under the Protection of Women from Domestic Violence Act, 2005? Discussion and interaction.

v. Whether FIR under the Protection of Women from Domestic Violence Act, 2005 can be lodged and if the answer is in affirmative by whom. Discussion and interaction. 1 unit

vi. Whether aggrieved wife has a right of claiming share in the property owned by her husband under the Protection of Women from Domestic Violence Act, 2005. Discussion and interaction followed by an exercise, facts of which will be given by the Faculty member. 1 unit

vii. Complete file of a decided case will be provided to the Trainee Judicial Officers so as to enable them to write a final judgment in view of the facts and circumstances including evidence and documents on record. 1 units

7 units

Section 265  Law relating to cheque bouncing.

i. What do you understand by dishonour of cheque, who can lodge complaint and what necessary ingredients should the complaint contain in order to set the judicial process in motion. Discussion and interaction with latest case law. 1 unit

ii. How would you determine territorial jurisdiction of the court in a case where a cheque was dishonoured. Discussion and interaction with latest case law. 1 unit

iii. General Discussion, on the provisions of Section 138 of Negotiable Instrument Act, law and latest amendments with the Trainee Judicial Officers by the Faculty Member/Resource Person. 1 unit

iv. How to pass summoning order in a case under Negotiable Instrument Act and the mode for effecting service on the respondents. Discussion and interaction with latest case law. 1 unit
v. How to dispose of complaint under the Negotiable Instrument Act within the statutory time frame.
   Discussion and interaction with latest case law. 1 unit

vi. How to determine onus of proof and presumptions under section 118 and 139 of Negotiable Instruments Act.
   Discussion and interaction with latest case law. 1 unit

vii. How to determine vicarious liability in the case of companies/firms/sole proprietorship, their directors/partners/proprietors etc. in the cases under the Negotiable Instruments Act, 1881.
   Discussion and interaction with latest case law. 1 unit

viii. How to determine onus of proof and presumptions under section 138 of N.I. Act. Complete facts of a decided case will be made available to the Trainee judicial Officers to write a judgment in such a case.
   4 units

Section 266  Law relating to quantum of sentence, whether motive, previous enmity, occurrence on the spur of the moment, intention & knowledge, gravity dimension and nature of injury, age and general health condition of the accused, whether injury was caused without pre-meditation in a sudden fight, nature and size of weapon used, criminal background and adverse history of the accused, number of other criminal cases pending against the accused, conduct and behaviour of the accused etc. have any relevancy at the time of sentencing the accused convicted by the criminal court. (Sec. 235 of the CrPC and law laid down in Gurmukh Singh vs. State of Haryana 2009(4) RCR(Crl.)221 S.C.
   1 unit

Section 267  Law relating to NDPS Cases.

i. What is small quantity and commercial quantity as per NDPS Act of 1985,
   Discussion and interaction with latest case law. 1 unit

ii. What types of cases can be tried by the Judicial Magistrate first class.
   Discussion and interaction with latest case law 1 unit

iii. Whether the judicial magistrate can grant bail to a person accused of possessing 50 grams of charas.
   Discussion and interaction with latest case law. 1 unit

iv. Complete files of two decided cases will be supplied to the Trainee Judicial Officers so as to enable them to write a judgment of acquittal or conviction as per evidence on record.
   4 units

Section 268  Police Reports filed u/s 173(2) Cr.P.C.

Is the Magistrate bound to accept the police report filed under 173(2) Cr.P.C. Whether he can take cognizance of this offence, even if the police report is to the effect that no case is
made out against the accused. Whether Magistrate has power to call upon the police to submit charge sheet. What are the powers of Magistrate regarding further investigation or re-investigation of an offence? Whether a Magistrate is bound to give notice/leaving to the informant/complainant before accepting the final report filed by the police & on receiving such notice whether complainant can file a protest petition & what is the procedure to the followed.

Discussion and interaction with latest case law. 1 unit

**Section 271**
Discussion/Interaction of general provisions of the Prevention of Food Adulteration Act, 1954, keeping in view the latest judgments of the Supreme Court. 2 units

**Section 272**
Discussion/Interaction of general provisions of the Essential Commodities Act, 1955, keeping in view the latest judgments of the Supreme Court. 2 units

**Section 273**

i. Drugs and Cosmetics Act 1 unit

ii. Excise Act; Procedure of sampling 1 unit

iii. Standards of Weight & Measures Act, 1976 1 unit

**Section 274**
Labour Welfare Laws

i. Child Labour (Prohibition and Regulation) Act, 1986

ii. The Employees State Insurance Act, 1948: Corporation, Standing Committee and Medical Benefit Council; Contributions; Benefits; Adjudication of disputes and Claims; Penalties.

iii. The Employees Provident Fund Act, 1952: Employees Provident Fund Scheme and Authorities; Miscellaneous.


v. The Minimum Wages Act, 1948- Fixation of minimum rates of wages - working hours and determination of wages and claims


vii. The Contract Labour (Regulation and Abolition) Act, 1970 - Its object and its essential features. 7 units

**SECTION 275**

(i) Police Act


(iii) Consumer Protection Act, 1986

(iv) Grama Nyalaya Act 10 units

**Section 276**
LAW RELATING TO FOOD SAFETY

i. Food Adulterant Material

ii. Ways to recognise adulterated food articles

iii. Administrative machinery

iv. Precautionary measures for use of goods and medicines

v. Offences and Penalties

vi. Prevention of Food Adulteration Rules 6 units
### Section 277  Cyber Laws and Crimes

(i) Concept of Cyber space and Internet.  
   2 units

(ii) Cyber Crimes and their legal control  
   2 units

(iii) Information Technology Act, 2000  
   2 units

(iv) Computer Forensics and E-Evidence  
   2 units

### Section 278  Service Laws and Security of Service Tenures

(i) Classification of employees: State, Public/Private sector/Industrial. 
   Employees: Permanent/regular, temporary, adhoc, daily wages, work charged  
   and probationers. 
   Disciplinary action and punishments: constitutional safe-guards and principles 
   of natural justice: civil court jurisdiction.  
   2 units

(ii) Service Law : Promotion, Seniority, Reservations, compassionate 
   appointment; compulsory/ voluntary retirement; resignation; change of date  
   of birth; confirmation; recovery of excess amount paid; civil court jurisdiction.  
   3 units

### Section 279  Constitutional Law

Basic features of the constitution; federalism; separation of powers; fundamental 
rights/duties; directive principles of State policy, judiciary under the Indian 
Constitution.  
6 units

### Section 280  Environmental Law

Concept of ecology and environment: dangers of environmental pollution. 
Environmental pollution control: International and national legal framework. 
Preservation of environment and sustainable development.  
4 units

**Total** 546 units
Course Content of Revenue Training

1. Introduction to the course

2. Revenue terminology

3. Record of rights/annual records (Jamabandi, Wazib-ul-arz, shajra nasab, shajra kishtwar)

4. Mutations and fard badar

5. Khasra girdawaris.

6. Musavi & field book

7. Patwari’s institution and roznaamchas.

8. Different units of area and linear measurement of land; inter se conversions.

9. Land demarcation

10. Partition of agricultural land

11. Patwari basta; scrutiny/inspection & exercises based thereon.


13. Punjab Land Revenue Act: Appreciation of evidence provided by land records in the trial of civil suits; presumption of truth attached to revenue record.


15. East Punjab holdings (consolidation and prevention of fragmentation) Act 1948; Rules and consolidation record prepared thereunder.


18. Land Acquisition Act.

19. Punjab Tenancy Act; vesting of proprietary rights in occupancy tenants and adna maliks.

20. Registration Act and Registration manual


23. Panchayati Raj Laws & Constitutional Amendments

24. Haryana Urban Estates Laws

25. Nazool Land Rules

26. Computerization of revenue records

27. Visit to village for demarcation and getting acquainted with Revenue estate.

28. Mock Trials of civil suits based on revenue records.

29. Moots in relation to land law/revenue records problems

Total 120 Units
Annexure ‘A’

Curriculum for the one and half month training (1st slot) of the Training Judicial Officers at the headquarter of the Sessions Division.

When the Trainee Judicial Officer is attached with a court, he should observe the functioning particularly in respect of the following subjects and prepare detailed notes daily:

i) Preparation of cause list.
ii) Reception of the plaints, rent petitions, applications and other civil cases and scrutiny of the same particularly relating to jurisdiction, court fee, list of documents, number of copies of the plaints required to be given for use by the opposite parties.
iii) Passing of the first interim order regarding court fee, registration of the suit and petition, issue of notices to the other parties residing at various places, consideration of interim arguments on the stay application, if any, adjournment of cases fixed for presence etc.
iv) After the service of the parties is complete, receiving written statements, replications, recording the statements of parties before framing issues, admission and denial, and then framing issues.
v) Whether the provision of ADR Mechanism is being followed and if so the order passed to refer the case to Lok Adalat, mediation, and arbitration etc.
vi) Deciding misc. applications/stay applications after hearing both the parties.
vii) Before starting recording evidence, list of witnesses to be taken, and then procedure regarding recording of evidence of the civil cases of both the parties and how a witness is allowed to be cross examined if he does not support the case of the party. The procedure to be followed regarding exhibiting the documents and marking the other documents at the time of recording evidence and how the objections raised by the counsel regarding admissibility of evidence are disposed of by the Presiding Officer.
viii) Hearing arguments of the main civil cases and where written arguments are taken the same should be made record of the file.
ix) Procedure followed in rent petitions for the purpose of making tender on the first date of hearing after assessing rent, cost, interest etc.
x) Presentation of challans in State cases and scrutiny of the same, registration of the challans or return of the challans if documents are not complete.
xii) Procedure of recording evidence in criminal State cases, examination, cross examination, re-examination of the witness, how the various objections raised are decided by the Presiding Officer. The procedure for exhibiting the documents and marking the remaining documents in criminal cases. The procedure to be followed if a witness turns hostile and how he is to be cross examined by the Prosecutor and the order to be passed by the Presiding Officer.
xiii) Recording of the statements of the accused by the Presiding Officer under section 313 of Cr.PC supply of list of defence witnesses, recording of defence witnesses hearing arguments of the case and then pronouncing judgments.
xiv) If the accused is convicted, the procedure followed in hearing the accused before sentencing him.
xv) Procedure of receiving criminal complaints of private persons and recording of preliminary evidence by the Presiding Officer.
xvi) Procedure of receiving complaints from the public servants and issue of notice to the accused without recording preliminary evidence.
xvii) Procedure of passing an order to summon the accused in private complaint cases unless the complaint is dismissed.
xviii) Recording of pre-charge evidence and procedure to deal with complaint cases- framing of charge if sufficient grounds are found to frame a charge against the accused and procedure to be followed to again summon the witnesses for further cross examination if the charge is framed against the accused.
ix) Procedure to be followed to deal with application of the police for police remand/judicial remand and order passed thereon.
xx) Procedure to be followed to dispose of applications for the grant of bail in non-bailable cases/bailable offences and the order passed thereon.
xxi) Procedure to be followed in committing the cases triable by the Sessions Court and committing order passed thereon.
xxii) Procedure to be followed to dispose of applications for release of property on supardari and supardari order passed thereon.
xxiii) Procedure to be followed to dispose of the challans which are to be treated as untraced or cancelled and order to be passed thereon.
xxiv) Procedure to be followed in trying the summary cases – in the presence of the offenders - how entries are made in the summary register and what precautions are to be taken to avoid embezzlement of fine.

xxv) Procedure regarding disposal of applications to summons the witnesses, supply of the certified copies of the judgments/orders, deposit of diet money, return of the documents, inspection of the files and other applications.

xxvi) To know the procedure as to how entries are made by the reader in the fine registers and how the Presiding Officers scrutinize the same before appending signatures, in order to avoid misappropriation of money.

xxvii) Maintenance of peshi register, plaint return register, maintained by the reader and maintenance of ‘gatta’ for the purpose of giving dates to the parties by the Presiding officers.

xxviii) Preparation of decree sheet memo of cost by the reader and checking of court fee, by the Presiding Officer.

xxix) Circumstances in which bailable or non-bailable warrants are issued & notices are issued to the sureties and how action is taken to recover the amount of the bond.

a. Presentation of execution application, attachment of the property of the J.D, disposal of the application of the application under order 21 Rule 66 CPC, procedure for issuing sale of the property by auction etc.

b. District judges may explore the possibility of arranging a visit of the TJOs to the remote/backward villages to understand, experience and thereafter write a report about the types of injustice from the perspective of the weakest and the poorest.

Regarding working of Ahlmad (Civil and Criminal) and Execution Clerk

1. To study the procedure for making entries according to prescribed columns in the following Registers maintained by Ahlmads/ Execution clerks:-

   1. Register of Civil suits,
   2. Register of Rent Petitions,
   3. Register of Matrimonial cases
   4. Register of Succession Certificates
   5. Register to sue as a pauper.
   6. Register of rejecting and returning the plaints
   7. Register of Execution of decrees
   8. Register of applications for review
   9. Register of Stamp deficiency Register
   10. Register of misc. petition in execution proceedings.
   11. Register of return of documents.
   12. Register of Local Commissioner
   13. Register of return of documents
   14. Register of Inspection of files
   15. Register in which summons are sent to the Nazar
   16. Register of cases under I.P.C.,
   17. Register of Special Acts,
   18. Register of Misc. Criminal Cases,
   19. Register of Judicial fines,
   20. Register of Summary Trial traffic cases,
   21. Register of road and diet money of witnesses,
   22. Register of bail applications,
   23. Register of first information reports,
   24. Register of untraced and cancellation reports, etc.

2. To study the various forms No. 1 to 219 prescribed in part A-II High Court Rules & Orders Vol.6 prescribed for issuing summons, warrants in Civil cases/ and form Nos. 1 to 54 part B-1 High Court Rules & Orders Vol.6 of criminal cases and to study as to how, Goswaras are entered by the Ahlmad in the relevant registers at the end of each month.

3. To study the working regarding sending summons/ warrants to the various agencies and how the record is maintained and when the processes are received back reports are made by the Ahlmads on the original file at the time of putting up the files for the dates fixed.

4. To study the procedure regarding indexing of the files and consigning the same in the judicial record room.
Office of the Civil Nazir/Naib Nazir
1. To study the system of maintaining
   (a) sheriffs petty accounts,
   (b) maintenance of register of receipts,
   (c) maintenance of register of disbursements,
   (d) maintenance of cash book,
   (e) register regarding refund of un-disbursed diet money, to the process servers along
      with summons,
   (f) maintenance of treasury pass book.
   (g) maintenance of record of lapsed deposits etc.
2. Maintenance of Register of Civil Court Deposits, Accounts particularly as to how entries
   are made in the register of receipts of civil courts and disbursement, maintenance of note
   book of execution bailiff and preparation of payment vouchers.
3. Procedure regarding the working of process servers/Bailiffs followed by the Civil Nazir/
   Naib Nazir in receiving the summons from the court, their marking to the process servers
   ilaqua wise after making entries in the main register daily how the Nazir controls the
   working of the process servers daily and ensures that correct reports are made by the
   process servers and summons returned to the court before the dates fixed and how they are
   dealt with if processes are not received back in time.

Office of the Clerk of the Court
In the office of the COC the TJOs are required;
 i. to study the working regarding the preparation of pay bills, T.A. bills, service
    books and establishment matters.
 ii. to study the working regarding the various statements prescribed by the Hon’ble
    High Court as mentioned in part ‘A-V of High Court Rules & Orders Vol. VI.
 iii. to study the working of the office particularly regarding correspondence with
    the civil courts and the District Judge.

Copying Agency
To study the working of the coping agency particularly in respect of the following subjects:-
1. Who are entitled to obtain copies of judgments/orders on payment of prescribed fee
   and who are entitled to get copies free of cost.
2. Procedure for submission of applications for copies.
3. How the applications are entertained and entered in the register or rejected.
4. Procedure regarding preparation of copies, their attestation and which date is to be
   put at the time of the preparation/attestation of the copies.
5. Procedure for delivering the certified copies.
6. Procedure of making various entries in the register, and other allied matters as
   mentioned in chapter 17 of High Court Rules and Orders, Vol.4.

Civil Hospital
The Trainee Judicial Officers should visit the Civil Hospital on one day to watch the post
mortem examination of a dead body and also to see as to how injured are medico legally examined
by the Medical Officers.

Judicial Malkhana
The training judicial officers can see the various registers maintained in the court of C.J.M
as to how the case property is entered in the said registers and the articles are stored in the judicial
malkana and how the case property is disposed of and the various precautions required to be taken
to keep the case property safe and to avoid misappropriation.

Record Room
The TJOs should study as to:-
 i) How the decided cases are received in the record room and the manner in which the
    files are kept in the bundles after making entries in the register and assigning
    goswara numbers.
 ii) The procedure as to how the files are sent to the court as and when a docket is
    received.
 iii) Each officer may examine at least 10 civil and 10 criminal decided cases and
     prepare notes particularly in respect of the interim and other orders passed by the
concerned Presiding officers and how the various Misc. applications were disposed of.

iv) To study as to how judicial record is being described in terms of the Rules mentioned in Part-E of Chapter 16 of the Punjab & Haryana High Court Rules and Orders.

**Police Stations**

i. One or two trainee judicial officers may at a time may visit local police station for a day and study the manner in which the FIR’s are recorded and various entries are made in the Daily Diary Roznamcha.

ii. They can also study various other registers maintained in the police stations.

**Note:** *The presiding officer of the court with whom the TJO is attached to give feedback to the District judge who may in turn send a consolidated report to the Director (Academics) for the kind consideration of the Board of Governors.*
Annexure ‘B’
Curriculum for one and half month training (2nd slot) of the Trainee Judicial Officers at the headquarter of the Sessions Division.

By this time the Trainee Judicial Officers are trained enough at Chandigarh Judicial Academy and have also undergone revenue and police Training and are likely to start the independent judicial work in near future, therefore, they are required to acquaint with the Zimni orders, interim orders, bail orders, remand orders, sapurdari orders, and judgments on merits in civil and criminal cases.

One Trainee Judicial Officers each would be attached with senior most judicial officer at the headquarter of the place of his posting under the order of the District Judge during the first three weeks and there after he should be attached with the next senior most judicial officer for the remaining period of the training and he should try to acquaint himself with the following subjects during this period so that by the time, this field training is over, he should be well conversant with the working of the courts:-
1. How the cause list is prepared and gatta is maintained.
2. How, the fresh cases received and dealt with by the Ld. presiding officer and how, notices are sent to the other side.
3. How, the questions of jurisdiction and court fee are dealt with by the presiding officer, after pursuing the report of the reader.
4. How to dispose of an application for the grant of interim injunction.
5. Method of handling and remanding the accused to judicial/police custody and vice versa.
6. How to fix the cases for written statements/replication and how to deal with civil cases (suits) for filing of written statement/replication as well as to secure the presence of parties for the purpose of admissions and denial.
7. How to make efforts as per requirement of section 89 of CPC, Order X Rule 1A to 1C.
8. How to frame issues in civil cases including rent act cases
9. How to fix cases for recording evidence of the plaintiff
10. How to issue orders asking the parties to furnish list of witnesses and deposit of diet money etc.
11. How to record evidence including putting questions by the court while recording evidence in civil and criminal cases as well as how to disallow any question not relevant for the decision of the case.
12. How to maintain discipline and decorum during the conduct of court proceeding including recording of evidence in civil and criminal cases.
13. In criminal cases how to put question to a prosecution witness who has turned hostile and how to summon any witness as a court witness in terms of the provisions as contained in section 311 of CrPC
13 A How to frame charges/issuance of notices in the criminal cases.
14. How to record the statement of the accused as envisaged under section 313 of CrPC
15. How to deal with the public prosecutor and how to handle a defence counsel during the course of criminal proceedings
16. How to handle miscellaneous applications by passing appropriate orders.
17. How to handle bail applications on merits as well as non presentation of the challan within the period of 60/90 days of the custody of the accused.
18. How to dispose of date bound cases as ordered by the superior courts.
19. How to handle a request for amendment of the pleadings during the pendency of the civil suit.
20. How to handle cases in which parties have compounded their disputes and passing of just orders in the matters.
21. How to suspend an order of sentence and what type of orders are to be passed in this regard, when the sentence imposed is below two years or so.
22. How to dispose of stay matter in civil cases by way of interim stay within the prescribed period of 30 days.
23. How, to deal with references coming from District & Sessions Judges on judicial side as well as Administrative side.
24. How to control and supervise the work of the staff under his charge.
25. How to maintain the register in which entries regarding the fine imposed are incorporated and how to prepare payment vouchers.
26. How to deal with various types of applications concerning the case property by way of sapurdari etc.
The trainee judicial officers should send weekly dairy containing notes prepared by him daily through the judicial officer with whom he is attached to the Ld. Distt. Judge for his perusal and comments. The concerned judicial officer should guide the TJO and should also offer his comments on the notes prepared by the TJO for the purpose of guidance to TJO.

After coming back to the Chandigarh Judicial Academy the Trainee Judicial Officer shall share his/her experience and the difficulties faced or came across during the field training so that the answer to those situations is sorted out and in future the Trainee Judicial Officers can handle those situations effectively and confidently.

Note: During the period of field training the Trainee Judicial Officers should also be attached for 1 week with the appellate courts.