DR. BABASAHEB AMBEDKAR MARATHWADA UNIVERSITY, CHHATRAPATI SAMBHAJINAGAR.

Circular / SU/Humanities/UG/New Curriculum/LAW/2024.

It is hereby informed to all concerned that, in continuation of the संदर्भ क्र. अभ्यास वि./ विधी/ २०१९/ २४८-२५७ दिनांक:- ०४-०७-२०१९ on the recommendation of Board of Studies in Law & Dean, Faculty of Humanities dated on 28th June, 2024; **the Hon'ble Vice-Chancellor has accepted the *"New Curriculum of Law of Crimes for BA LL.B. VII Sem. & LL.B. III Sem. and Pattern of Question Paper for LL.M. & D.T.L. Course"*** under the faculty of Humanities as per direction by the Government & Norms of BCI ***run at all affiliated colleges level*** in his emergency powers under Section 12 [7] of the Maharashtra Public University Act, 2016 on behalf of the Academic Council.

This is effective from the Academic Year 2024-25 and Onwards as per appended herewith.

All concerned are requested to note the contents of this circular and bring notice to the students, teachers and staff for their information and necessary action.

University campus,
Chhatrapati Sambhajinagar-431 004.
Ref. No. SU/Humanities/Law/
New SYLL/ PQP/ 2024/5118-26
Date: 05.08.2024.

Deputy Registrar,
Academic.

****

Copy forwarded with compliments to:-

1] **The Principal/Head, All Concerned affiliated Law Colleges/ department,** Dr. Babasaheb Ambedkar Marathwada University, Chhatrapati Sambhajinagar.
2] **The Director,** University Network & Information Centre, UNIC, with **a request to upload this Circular on University Website.**

Copy to :-

1] **The Director, Board of Examinations & Evaluation,**
2] **The Sec. Officer, [All Concerned Unit] Exam. Branch,**
3] The Section Officer, [Eligibility Unit],
4] The Programmer [Computer Unit-1 & 2] Examinations,
5] The In-charge, [E-Suvidha Kendra],
6] The Public Relation Officer,
7] The Record Keeper,
Dr. Babasaheb Ambedkar Marathwada University, Chhatrapati Sambhajinagar.

DR. BABASAHEB AMBEDKAR MARATHWADA UNIVERSITY, CHHATRAPATI SAMBHAJINAGAR

New Curriculum of

B.A. LL.B. [VII Sem.]

&

LL.B. [III Sem.]

For

"All Affiliated Law Colleges Level"

[Effective from the Academic Year 2024-25 & Onwards]

Dr Babasaheb Ambedkar Marathwada University, Chh. Sambhaji Nagar

New Syllabus of Law of Crimes

For BALL.B. VII Sem. and LL.B. III Sem.

To be made applicable from the academic year 2024-25

Unit I - Introduction to Bhartiya Nyaya Sanhita 2023

i. Historical background and development of the Criminal Law in India
ii. Structure and classification of the BNS
iii. Jurisdiction under Bhartiya Nyaya Sanhita 2023 (Section 1)
iv. Definitions and General Explanations (Section 2& 3)
v. Principles of criminal liability, elements of crime and stages of Crime

Unit II - General Exceptions (Sections 4 – 44)

i. Mistake of fact (Sections 14 & 17)
ii. Judicial acts (Sections 15-16)
iii. Accident (Section 18)
iv. Absence of criminal intent (Sections 19- 24)
v. Consent (Sections 25-30)
vi. Trifling acts (Section 33)
vii. Right of private defence of body and property (Sections 34-44)

Unit III- Inchoate Crimes (Sections 45-62)

i. Definition and nature of inchoate crimes.
ii. Abetment (Sections 45- 60)
iii. Conspiracy (Section 61)
iv. Attempt (Section 62)

Unit IV - Offenses Against the Human Body

i. Culpable homicide and murder (Sections 100- 105)
ii. Death by negligence (Section 106)
iii. Attempt to murder (Section 109)
iv. Hurt and grievous hurt (Sections 114- 125)
v. Organized Crime (Sections 111 -112)
vi. Terrorist Acts (Section 113)
vii. Wrongful restraint and confinement (Sections 126-127)
viii. Force and Assault (Sections 128-136)
ix. Kidnapping, abduction, slavery and forced labour (Sections 137-146)
x. Defamation (Section 356)

Unit V- Offenses Against Women

i. Rape (Sections 63-73)
ii. Sexual harassment (Section 75)
iii. Assault or criminal force with intent to disrobe (Section 76)
iv. Voyeurism (Section 77)
v. Stalking (Section 78)

vi. Dowry Death (Section 80)
vii. Cruelty by Husband or relatives (85 -86)

Unit VI - Offences Against Property

i. Theft (Sections 303-307)
ii. Extortion (Sections 308)
iii. Robbery and dacoity (Sections 309-313)
iv. Criminal misappropriation of property (Sections 314-315)
v. Criminal breach of trust (Sections 316)
vi. Receiving stolen property (Sections 317)
vii. Cheating (Sections 318-323)
viii. Mischief (Sections 324-328)
ix. Criminal trespass (Sections 329-334)

Unit VII - Offences Against Public Tranquillity

i. Unlawful assembly (Sections 189)
ii. Rioting (Sections 191)
iii. Affray (Section 194)
iv. Promoting enmity between different groups (Section 196)
v. Imputations and assertions prejudicial to national integration (Section 197)

Unit VIII - Offences against the State.

i. Waging, attempting to wage, or abetting waging of war against the Government (Sections 147-150)
ii. Assaulting President, Governor, etc., with intent to compel or restrain the exercise of any lawful power (Section 151)
iii. Sedition (Section 152) a. Definition and scope b. Historical background and recent judicial trends
iv. Waging war against any Asiatic Power in alliance with the Government (Section 153)
v. Depredation on territories of power at peace with the Government (Section 154)
vi. Receiving property taken during war or depredation (Section 155) vii. Public servant voluntarily allowing prisoner of State or war to escape (Section156)

Unit IX Offences against Religion

i. Injuring or defiling place of worship
ii. Outraging the religious feelings
iii. Disturbing religious assembly
iv. Trespassing on burial places
v. Uttering words etc. with intend to wound religious feeling

Recommended Readings:

1. R C Nigam, Law of Crimes in India, Vol 1, Asia Publishing House, New York
2. Andrew Ashworth, Principles of Criminal Law, Clarendon Law series
3. K I Vibhute, PSA Pillai's Criminal Law, Lexia Nexia, New Delhi.
4. K N Chndranshekhar Pillai, Essay's on Indian Penal Code, Indian Law Institute
5. Ratanlal and Dhirajlaw, The Indian Penal Code, LexisNexis, New Delhi
6. K D Gaur, A Text Book on Indian Penal Code, LexiaNexis, New Delhi
7. Smith and Hogan, Criminal Law, Oxford University Press
8. S K Savaria, A R Nelson's Indian Penal Code, LexisNexis, New Delhi

5036 BHARATIY NAGARIK SURAKSHA SANHITA

(Including Juvenile Justice Act and Probation of Offenders Act)

Syllabus from the year 2024-25

Unit -1: Criminal justice system: Inquisitorial and Adversary\Accusatorial; International norms regarding the basic principles of criminal justice system; Constitutional perspectives – Articles 14, 20, 21 & 22; The rationale of criminal procedure; Salient features of ; The Bharatiy Nagarik Suraksha Sanhita 2023

organization of police, prosecution & defense and prison authorities – duties, functions and powers; Constitution of criminal courts and the significance of the segregation of magistrates into judicial and executive magistrates categories under the code; Important definitions: Investigation, first information, cognizable and non-cognizable offence, bailable and

non bailable offences, complaint, inquiry, charge, trial, summons and warrant cases, compoundable and non compoundable offences, discharge and acquittal, appeal, revision and reference.

Unit-2: Investigation proceedings: Initiation of investigation proceedings; Interrogation powers of police officer; evidentiary value of FIR and statements made to police officer,

Arrest with and

without a warrant:

exercise of power and execution rules; Preventive powers of the Police ;Rights of arrested person; 2.3 Search and Seizure &; Proclamation and attachment

Recording of confessions and statements; Special remand order ; Police diary ; Police report ; Inquest proceedings .

Unit-3: Jurisdiction of Courts, Inquiry proceedings & Bail provisions: General principle of jurisdiction of criminal courts; Exceptions to the principle; Initiation of Inquiry proceedings; Exceptions to the general principle of moving criminal courts; Complaint to magistrates; Inquiry proceedings before magistrates; Bail provisions.

Unit-4: Security and Maintenance proceedings: Security for keeping peace and for good behavior; 4.2 Maintenance of Public order and tranquility: Unlawful Assemblies; Public Nuisance; Disputes as to immovable property; Maintenance of wives, children and parents:

Order of maintenance; The Muslim Women (Protection of Rights on Divorce) Act,1986); Procedure, alteration and enforcement).

Unit-5: Trial Proceedings: Concept of fair trial: Presumption of innocence, right of silence & right to speedy trial; Charge: Content and form; General principle to be tried separately for every charge and its exceptions; Trial before a court of session; Trial of warrant cases before magistrates; Trial of summons cases; Summary trials; Pleas and limitations to bar trail: Principle of Autrefois acquit and autrefois convict; Compounding of offences; Withdrawal from prosecution; Irregular proceedings; Limitations to take cognizance of offences.; Evidence in inquires and trials , Tender of pardon ,Provisions as to Accused persons of unsound mind.

Unit-6: Judgment, Appeals, Reference, Revision and Execution: Judgment: Mode and other provisions; Confirmation of death sentence; Appeals ; Reference and Revision; Transfer of criminal cases; Execution, suspension, remission and commutation of sentences.

Unit-7: Juvenile Justice System:

7.1 Concept of juvenile justice; Historical perspective of juvenile justice system; Provisions relating to juvenile offenders under Bharatiy Nyaya Sanhita and Bharatiy Nagarik Suraksha Sanhita 2023 ;

7.2 Juvenile Justice Act, 2015 – Distinction between juvenile offender and neglected juvenile; Constitution of Child welfare boards and juvenile courts; Observation and juvenile homes; Powers of the State Government to constitute Advisory Boards and release the juvenile from juvenile or special home;

Unit-8: Probation of offenders and Parole: Concept of probation; Development of probation system in India; Probation of Offenders Act 1958: Salient features; Role of probation officers;

Role of Judiciary in the implementation of the Act; Parole system: Concept and distinction with the probation system

Unit-9: Comparative study of provision in Code of Criminal Procedure 1973 and Bharatiy Nagarik Suraksha Sanhita 2023

Books Recommended:

1. R.V. Kelker, Lecturers on Criminal Procedure Code
2. S.N. Mishra, Criminal Procedure Code
3. Achutan Pillai: Criminal Law, Butterworth Co.

4. Ratan Lal and Dhiraj Lal: Indian Penal Code, Wadhwa & Co.
5. Gour K.D.: Criminal Law - Cases and material, Butterworth Co.
6. Kenny's: Outlines of Criminal Law.

5041 LAW OF EVIDENCE

Unit-1: Introductory: Conceptions of evidence in classical Hindu and Islamic Jurisprudence, The Introduction of the British "Principles" of evidence. Reforms in Evidence Law in India after IT Act, 2000 The Main Features of the Bharatiy Saksha Adhiniyam 2023. Applicability of Evidence law in Administrative Tribunals, Industrial Tribunals, Commissions of Enquiry, Court-martial. Central Conceptions in Law of Evidence:, Facts: definition relevant facts/facts in issue, Evidence: Oral and documentary and real Primary and secondary evidence, Circumstantial Evidence and Direct and indirect Evidence, Hearsay Evidence, "proving" not proved and "disproving", Witness, Appreciation of Evidence Presumption .

Unit-2: The Doctrine of Res Gestae, Test Identification Parade, Evidence of Common Intention, The problems of relevancy of "Otherwise" Irrelevant Facts, Proof of Custom, Facts concerning state of body and mind.

Unit-3: Admissions and Confessions:, General Principles concerning Admissions, Differences between "Admission" and "Confession", The problems of non-admissibility of confessions caused by , "any inducement, threat or promises" , Inadmissibility of confession made before a police officer, , Admissibility of "Custodial" Confessions, Admissibility of information" received from an accused person in custody; with special reference to the problem of discovery based on "joint statement", Confession by co-accused, The problems with the judicial action based on a "retracted confession".

Unit-4: Statement of persons who cannot be called as witnesses: Dying declarations: The justification for reliance on dying declarations, The judicial standards for appreciation of evidentiary value of dying declarations. Other statements by persons who cannot be called as witnesses

Unit-5: Relevance of judgments, general Principles, Admissibility of Judgments in Civil and Criminal matters, "Fraud" and collusion"

Unit-6: Expert testimony: General Principles, Who is an expert? Types of expert evidence, The problems with expert testimony. Evidence of character.

Unit-7: Oral evidence: general principles concerning Oral Evidence, exceptions to hearsay evidence.

Unit-8: Documentary evidence: General Principles concerning documentary evidence, primary

and secondary evidence, Public document and private document General Principles Regarding Exclusion of Oral by Documentary Evidence,

attested documents, Ambiguous documents presumptions regarding documents.

Unit-9: Of Witnesses: Competency and compellability of witnesses, Examination of witnesses,

Competency to testify, Privileges of communications: matrimonial privileges State Privilege, Professional Privilege, Accomplice, General Principles of Examination, Leading Questions, Lawful Questions in Cross-Examination, Hostile witness, Impeaching the credit of witness, refreshing the memory

Unit-10: Burden of Proof: The general conception of burden of proof, General and Special Exceptions to burden of proof, Presumption as to dowry death, The Scope of the doctrine of judicial notice Facts admitted need not be proved.

Unit-11: Estoppel: What is Estoppel? Kinds of Estoppel, Res judicata and waiver; and presumption,

Promissory Estoppel, Improper admission and rejection of evidence

Unit-12: Comparative study of Indian Evidence Act 1872 and Bharatiy Sakshya Adhiniyam 2023.

Note: It is expected that the concern teacher should compare the Bharatiy Saksha Adhiniyam 2023 with the Indian Evidence Act 1872

Books Recommended:

1. Vepa P. Saradhi: Law of Evidence, Eastern Book Co., Lucknow
2. Batuk Lal: The Law of Evidence, Central Law Agency, Allahabad.
3. Avtar Singh: Principles of the Law of Evidence, Central Law Publications.
4. V. Krishnama Chary: The Law of Evidence, S.Gogia & Company, Hyderabad
5. M. Monir: Principles and Digest of the Law of Evidence, the Universal Book Agency, Allahabad.

DR. BABASAHEB AMBEDKAR MARATHWADA UNIVERSITY, CHHATRAPATI SAMBHAJINAGAR



Curriculum of

LL.M. & D.T.L.

[Pattern of Question Paper]

For

"All Affiliated Law Colleges & University Department Level"

[Effective from the Academic Year 2024-25 & Onwards]

Appendix-'A'

DR. BABASAHEB AMBEDKAR MARATHWADA UNIVERSITY,

Chhatrapati Sambhajinagar-431 004.

Pattern of Question Paper

For

LLM & DTL Examination

Oct./Nov.-March/April

Subject:----------

Time: 03: 00 Hours **Maximum Marks: 80**

"Please check whether you have got the right Question Paper".

N.B. [i] **Attempt any Five Questions,**

[ii] **All Questions Carry equal Marks.**

=--=--=--=-=-=-