



Curriculum of Training

For

Civil Judge's – Senior Division

**(working in different capacity such as Subjudge,
ACJM, Asst. Sessions Judge, Labour judge,
Railway Magistrate etc.)**

Bihar Judicial Academy
Gai Ghat, Gulzar Bag, Patna - 7

Bihar Judicial Academy, Patna

Plan of Training Programmes for Civil Sr. Division (Sub Judges) working in different capacity such as subjudge, ACJM, Asst. Sessions Judge, Railway Magistrate, Labour Judges etc.

S.N.	Target Group	Course Title	No. of Days
1	Civil Judges – Sr. Division (Sub Judges) working in different capacity such as subjudge, ACJM, Asst. Sessions Judge etc.	Orientation Course on Civil Laws, Criminal Laws & Procedure	4
		Refresher Course	2
2	Chief Judicial Magistrate	Special Training	2
3	ACJM-cum-Sub Judge I	Special Training	2
4	Labour Judges	Special Training	2
5	Railway Magistrate	Special Training	2

Bihar Judicial Academy, Patna

Precise Curriculum of 04 Days “Orientation Training Programme” for Civil Judges – Senior Division (Sub Judge)

Topic No.	Subject (Civil Laws & Procedure)
1	Ambit & Scope of CPC, Types of Courts & Jurisdiction & Bar thereon.
2	Stay of Suit, Res Judicata, Constructive Res Judicata, Admissions & Estoppel.
3.	Institution of Suit, Place of suing, Parties to Suit & Cause of Action.
4.	Appearance/ Non appearance of Parties & Ex parte proceedings..
5.	Pleadings & Amendment.
6.	Discovery & Inspection, Production/ Impounding/ Return of Documents, Framing of Issues.
7.	Stages of Disposal of Suits & Withdrawal of Suit.
8.	Examination of Witnesses & Adjournments.
9.	Arrest & Attachment Before Judgment, Judgment & Decree.
10.	Injunction & Caveat.
11.	Abatement & Compromise.
12.	Inherent Power of Court, Costs, Commission/ Guardian/ Receiver.
13.	Review/ Reference/ Revision/ Appeal.
14.	Suits of Family Matters/ Indigent Persons/ Special Case/ Summary Procedure/ Interpleader Suit.
15.	Suits Against Govt./ Public Officers/ Military or Its Personnel/ Coprorations/ Trustees etc.
16.	Execution.
17.	Scope & Ambit of Evidence Act, Admissibility & Relevancy of Facts.
18.	Proof & Burden of Proof.
19.	Admission & Estoppel.
20.	Witnesses & Their Examinations.
21.	Limitation in Civil Suit.
22.	Transfer of Property Act.
23.	Specific Relief Act.
24.	Bihar Tenancy Act/ Bihar Land Dispute Resolution Act/ Benami Transaction (Proh.) Act, 1988
25.	Bihar Building (Lease, Rent and Eviction) Act, 1982
26.	Arbitration & Conciliation Act & Bihar Panchayati Raj Act.
27.	Hindu Law with reference to Inheritance/ Succession/ Religious Endowments/Partition.
28.	Muslim Law with reference to Inheritance/ Succession/ Gift/ Partition.
29.	Court Fee/ Suit Valuation/ Registration of Documents & Instruments.
30.	Legal Services Authority Act & ADR.
31.	Contract Act, Sales of Goods Act & General Clauses Act.

Topic No.	Subject
32.	Civil Court Rules and Court / Office Management/ Departmental Inquiry/ E-Court Information System.
33.	Judgment Writing & Order Writing.
34.	Latest Amendments/ Case Laws & Tools of Speedy Justice.
35.	Time Management/Leadership/ Speech Craft/ Health Management.
36.	Principles of Judicial Conduct.

Topic No.	Subject (Criminal Laws & Procedure)
1	Ambit & Scope of CR.P.C., Types of Courts, Jurisdiction & Sentencing
2	Arrest, Custody, Search, Recovery, Seizure, TIP, S. 164 Cr.P.C., Confession & Inquiry in Custodial Death.
3.	FIR, Investigation, Sanction for Prosecution & Cognizance.
4.	Inquiry, Trial & Place of Inquiry & Trial.
5.	Charge, Discharge, S. 319 & S.313 Cr.P.C.
6.	Recording of Evidence, Production of Things, Adjournments & S. 311 Cr.P.C.
7.	Appreciation of Evidence & Delivering Judgment.
8.	Withdrawal of Cases, Limitation for Cognizance & Irregular Proceedings.
9.	Bail, Bail Bond, Release & Disposal of Property.
10.	Appeal, Reference, Revision & Miscellaneous Topics Relating to Criminal Trial.
11.	Ambit & object of IPC, Definitions & About Punishments.
12.	General Exceptions.
13.	Abetment, Criminal Conspiracy, Common Intention & Common Object.
14.	Offence Against State etc, Against Public Tranquility etc, Relating to Public Servant & Elections and Contempt of Lawful Authority.
15.	Offence Against Body
16.	Offence Against Property.
17.	Offence Against Women & Offence Relating to Marriage (Reference of POCSO, Dowry Proh. Act, Domestic Violence Act, New Rape Law etc)
18.	Offence Relating to Documents/ Property Marks/ Currency etc.
19.	Offence Relating to Defamation, Intimidation, Insult & Annoyance.
20.	About Attempt, Motive, Genesis, Mens Rea, Actus Reus & Animus etc.
21.	Offence Triable by Assistant Sessions Judges, Procedure of Trial & Sentencing By Such Courts.
22	Scope & Ambit of Evidence Act, Admissibility & Relevancy of Facts.
23.	About Proof, Burden of Proof & Presumption.
24.	Admission & Confession.
25.	Dying Declaration.
26.	Witnesses & Their Examinations.
27.	Evidentiary Value of FIR, Significance of Case Diary.
28.	Medical Jurisprudence.
29.	NDPS Act and Drug & Cosmetics Act
30.	Offence Triable Under Forest Act/ Excise Act/ Arms Act/ IT Act (Cyber Crime)/NI Act/Electricity Act

31.	SC & ST (Prv. Of Atr.) Act/ Prevention of Corruption Act/JJ Act/ Food Ad. Act/ EC Act etc.
32.	Relevant Provisions of Jail & Police Manual / Criminal Court Rules/ Court & Office Management/ Departmental Inquiry/ E-Court Information System.
33.	Judgment Writing & Order Writing.
34.	Latest Amendments/ Case Laws & Tools of Speedy Justice.
35.	Time Management/Leadership/ Speech Craft/ Health Management.
36.	Principles of Judicial Conduct.

Bihar Judicial Academy, Patna

Precise Curriculum of 02 Days “Refresher Training Programme” for Civil Judges – Senior Division (Sub Judge)

Topic No.	Subject (Civil Laws & Procedure)
•	Courts, their Jurisdiction, Bar thereon & limitation.
•	Stay of Suit, Res Judicata, Constructive Res Judicata, Admissions & Estoppel.
•	Institution of Suit, Place of suing, Parties to Suit , Cause of Action & Framing of Issues
•	Pleadings & Amendment.
•	Stages of Disposal of Suits & Withdrawal of Suit/ Ex parte Suits.
•	Examination of Witnesses, Proof/ Burden of Proof & Adjournments.
•	Injunction, Abatement & Compromise.
•	Inherent Power of Court, Costs, Commission/ Guardian/ Receiver.
•	Execution.
•	Relevancy of Facts, Admission & Estoppel.
•	Transfer of Property Act.
•	Specific Relief Act.
•	Bihar Tenancy Act/ Benami Transaction (Proh.) Act, 1988
•	Bihar Building (Lease, Rent and Eviction) Act, 1982
•	Partition Suits (Under Hindu & Muslim Law)
•	Civil Court Rules and Court/ E-Court Information System.
•	Judgment Writing & Order Writing.
•	Latest Amendments/ Case Laws & Tools of Speedy Justice.

Topic No.	Subject (Criminal Laws & Procedure)
•	Courts, their Jurisdiction & Bar.
•	FIR, Investigation, Arrest, Custody, TIP, 164 Cr.P.C., Confession.
•	Cognizance & Sanction for Prosecution (Irregular Proceedings).
•	Inquiry (Also Inquiry for Custodial Death), Trial & Withdrawal of Cases.
•	Charge, Discharge, S.319 & S. 313 Cr.P.C.
•	Receiving Evidence in Trial/ S. 311 Cr.P.C.
•	Appreciation of Evidence & Delivering Judgment. (A Reference of Hostile/ Solitary/ Circumstantial /Related/ Partisan witnesses etc)
•	Principles of Bail/ Bail Bond/ Release of Person & Property/ Disposal of Property.
•	About Punishment Under IPC & Principles of Sentencing.
•	General Exceptions/ Abetment/ Criminal Conspiracy/ Common Intention/ Common Object.
•	Offence Against Body, Property & Relating to Documents etc..

•	Offence Relating to Women & Marriage (Reference of POCSO Act/Dowry Prohibition Act/ Domestic Violence Act/ New Rape Laws etc)
•	Admissibility & Relevancy in Criminal Trial.(A Reference of Evidentiary Value of FIR & Case Diary)
•	Proof/ Burden of Proof/ Presumption.
•	Admission/ Confession/ Dying Declaration.
•	Offence Triable Under Forest Act/ Excise Act/ Arms Act/ IT Act (Cyber Crime)/ NI Act/ Electricity Act/ Drug & Cosmetics Act etc.
•	Criminal Court Rules / E-Court Information System.
•	Latest Amendments/ Case Laws & Tools of Speedy Justice.

Bihar Judicial Academy, Patna

Precise Curriculum of 02 Days “Special Training Programme” for CJM/ACJM/ACJM I

Topic No.	Subject
•	Court, their Jurisdiction & Bar
•	FIR, Investigation, Arrest, Custody, TIP, 164 Cr.P.C., Confession
•	Cognizance & Sanction for Prosecution (Irregular Proceedings)
•	Inquiry (Also Inquiry for Custodial Death), Trial & Withdrawal of cases.
•	Charge, Discharge, Sec 319 & Sec. 313 Cr.P.C.
•	Receiving Evidence in Trial U/s 311 Cr.P.C.
•	Appreciation of Evidence & Delivering Judgment. (A Reference of Hostile/Solitary/Circumstantial/Related/ Partisian witnesses etc.
•	Principals of Bail/Bail Bond/ Release of Person & Property/ Disposal of Property.
•	About Punishment Under IPC & Principles of Sentencing.
•	General Expectations/Abetment/Criminal Conspiracy/Common Intention/Common Object.
•	Offence against Body, Property & Relating to Documents etc.
•	Offence Relating to women & Marriage (Reference of POCSO Act/Dowry Prohibition Act/ Domestic Violence Act/New Rape Laws etc)
•	Admissibility & Relevancy in Criminal Trial (A Reference of Evidentiary Value of FIR & Case Diary)
•	Proof/Burden of Proof/Presumption.
•	Admission/Confession/Dying Declaration.
•	Offence Triable Under Forest Act/Excise Act/ Arms Act/ IT Act (Cyber Crime)/ NI Act/ Electricity Act/ Drug & Cosmetics Act.
•	Criminal Court Rules/ E-Court Information System.
•	Latest Amendments/ Case Laws & Tools of Speedy Justice.
•	Courts, their Jurisdiction, Bar thereon & limitation.
•	Stay of Suit, Res Judicata, Constructive Res Judicata, Admissions & Estoppel.
•	Institution of Suit, Place of suing, Parties to Suit , Cause of Action & Framing of Issues
•	Pleadings & Amendment.
•	Stages of Disposal of Suits & Withdrawal of Suit/ Ex parte Suits.
•	Examination of Witnesses, Proof/ Burden of Proof & Adjournments.
•	Injunction, Abatement & Compromise.
•	Inherent Power of Court, Costs, Commission/ Guardian/ Receiver.
•	Execution.
•	Relevancy of Facts, Admission & Estoppel.
•	Transfer of Property Act.
•	Specific Relief Act.
•	Bihar Tenancy Act/ Benami Transaction (Proh.) Act, 1988

•	Bihar Building (Lease, Rent and Eviction) Act, 1982
•	Partition Suits (Under Hindu & Muslim Law)
•	Civil Court Rules and Court/ E-Court Information System.
•	Judgment Writing & Order Writing.
•	Latest Amendments/ Case Laws & Tools of Speedy Justice.

Bihar Judicial Academy, Patna

Precise Curriculum of 02 Days “Special Training Programme” for Labour Judges

Topic No.	Subject
•	Role of Labour Courts in Bihar & Their Jurisdiction.
•	Reference of Disputes to Labour Courts & Procedure in Labour Courts.
•	Disputes Under Industrial Disputes Act.
•	Disputes Under Industrial Employment (Standing Orders) Act, 1946.
•	Disputes Under Bihar Shops & Establishment Act, 1953.
•	Disputes Under Contract Labour (Reg. & Ab.) Act, 1970.
•	Disputes Relating to Workmen Compensation Act, 1923.
•	Disputes Relating to Payment of Wages Act/ Minimum Wages Act/ Equal Remuneration Act.
•	Disputes Relating to Payment of Bonus Act/ Payment of Gratuity Act.
•	Disputes Relating to Factories Act, 1948
•	Disputes Relating to Employees State Insurance Act, 1948
•	Provision of Appeal from Labour Court.
•	Award Writing & Order Writing.
•	Court & Office Management (Official Letter Writing/ Preparation of Statements, Returns & Reports).
•	Time Management/Leadership/ Speech Craft/ Health Management.
•	Conducting Domestic/ Departmental Inquiry.
•	Latest Amendments/ Case Laws & Tools of Speedy Justice.
•	Principles of Judicial Conduct

Bihar Judicial Academy, Patna

Precise Curriculum of 02 Days “Special Training Programme” For Railway Magistrate

Topic	Subject
●	Role of Railway Magistrate in Adjudication of Justice.
●	Cognizance, Charge , Trial & Bail of Cases in RPUP Act, Railway Act.
●	Penalties & Offences under Railway Act.
●	Salient Feature of the Railway Properties (Unlawful Possession) Act, 1966
●	Overlapping Jurisdiction of the Court,
●	Victim Protection Scheme in Railway Act.
●	Realisation of Criminal Fines, Mode of Realisation and Remittance, Account Keeping And Maintenance of Registers, Periodical Returns etc in Railway Act.
●	Enquiry search & Arrest in Railway Properties (Unlawful Possession) Act, 1966.
●	Order & Judgment Writing in cases related to Railway Act.

Curriculum for Civil Judge Sr. Division working in different capacity such as Subjudge, ACJM, Asst. Sessions Judge, Railway Magistrate, Labour Judges etc.

CRIMINAL PROCEDURE CODE

S.N.	Subject /Act	Topic's
1.	Criminal Procedure Code, 1973	(A) Ambit & object of the Code (S.4) with discussion of important definition's given in S. 2.
		<p>(B) About Criminal Courts, Jurisdiction & Sentencing :</p> <ul style="list-style-type: none"> • Classes of Criminal Courts • Jurisdiction of Court • Jurisdiction in case of Juveniles. • Powers of Courts to impose sentence. • Powers of Courts to impose fine. • Powers of Courts to impose sentence in lieu of fine. • Sentences in the event of trial for several offences. • What is “concurrent sentence” ? • What is “consecutive sentence” ? • How to determine appropriate sentence ? • What is sentencing rule ? (Study with recent case laws) • What is warrant of sentence ? • Extra territorial jurisdiction of a Criminal Court. <p>(C) About Arrest/ Custody :</p> <ul style="list-style-type: none"> • What is arrest ? • How can arrest be made with or without warrant ? • Who can arrest ? • What is “remand” ? When remand could be done & when not? • What is “custody of police” ? • When police custody could be denied ? • What is judicial custody” ? • Who is protected from arrest ? • What is difference between arrest & custody ? • What is the right of arrested persons or a person under custody ? Study with case laws) • What is difference between arrest & custody ? • What is custody warrant ?

S.N.	Subject /Act	Topic's
		<ul style="list-style-type: none"> • What is production warrant ? • What is the procedure for production of accused after arrest ? • What is the procedure for production of accused in judicial custody ? • When arrest can be made ? • When examination of an arrested accused by Medical Officer is required ? • When an accused in custody can be given a lawyer on Govt cost ? <p>(D) About Search, Recovery & Seizure, Identification, Recording of Statement/ Confessions & Inquiry in Custodial Death:</p> <ul style="list-style-type: none"> • How a search can be conducted ? • What is the procedure of seizure ? • Where a seized article is kept ? • What is the procedure to produce seized article in Court ? • When search can be made ? When search to be done without search warrant ? When search warrant could be issued & by whom ? Who can direct for search ? • What is the procedure of seizure or attachment of unlawfully acquired property ? Can it be forfeited ? Is there provision of fine in lieu of forfeiture ? What type of transfers to be null & void ? • How identification of an arrested person is done ? Who directs for such identification and who does it ? Is there any proforma for it ? (S. 54A) • How statement's and confessions are recorded ? Who is competent to record it ? Who is competent to order for such statements to be recorded ? What is the standard form for such statement ? What is the role of Magistrate in recording such statements ? • How an inquiry in to custodial death is conducted ? How to conduct & prepare report under such inquiry ? (S. 176) <p>(E) About Processes for appearance & production of things :</p> <ul style="list-style-type: none"> • When & how summon/ailable warrant/ nonailable warrant/ proclamation order /

S.N.	Subject /Act	Topic's
		<p>order for attachment of property to be issued ?</p> <p>(F) About FIR & Investigation :</p> <ul style="list-style-type: none"> • How information is given in respect of cognizable offences & non cognizable offences to police ? • When FIR is to be submitted to the Magistrate ? • What is procedure when there is two FIR for same occurrence ? • What is procedure when there is FIR & a complaint case for the same occurrence ? • What is the procedure of investigation ? • Whether arrest could be made during investigation ? • What are the latest guidelines of Hon'ble Apex Court ? • Who is competent to investigate offences under different Act's ? • What may be the role of Courts in investigation ? • Can a Court order for reinvestigation or further investigation ? • Can a Magistrate give order for investigation by CBI/ Vigilance/ NIA etc ? • What is the time limit for submission of charge sheet ? • What is the ramification if the charge sheet is not submitted within stipulated time ? • What is 'Final Form' ? • What is relevance of case diary ? Is it required to be submitted before the Court and when ? <p>(G) About Cognizance/ Place of Inquiry or Trial :</p> <ul style="list-style-type: none"> • What is definition of cognizance ? Is it defined in CrPC ? • Who is competent to take cognizance ? (Perspective under different Act's to be discussed with case laws) • Where a trial/ inquiry could be initiated ? • What will be place of trial in the event of offence committed by letter/ phone/ web

S.N.	Subject /Act	Topic's
		<p>site/ publication in print mode or electronic mode/ on journey or voyage/ when falls within the jurisdiction of different Courts etc. ?</p> <ul style="list-style-type: none"> • Is there any limitation provided for cognizance ? • Is there provision for bar on cognizance ? When prosecution sanction is essential for cognizance ? • What is 'making over of case' & who is competent to do & at what stage ? <p>(H) About Inquiry into Complaint :</p> <ul style="list-style-type: none"> • What is a complaint ? Who can file a complaint and where ? • Who is competent to conduct inquiry and how ? Can a Magistrate direct the inquiry to be done by police or by any other person or officer ? Can a complaint be returned and why ? (S. 200, 201 & 202) • How statement of complainant or witnesses is recorded ? • What is the meaning & relevance of “making out of <i>prima facie</i> case” ? Is it defined by statute or case law ? • When a complaint could be dismissed or process could be issued ? (S. 203 & 204) • What is the implication when complainant dies ? Can he be replaced / substituted under law ? • What if complainant is absent ? • When fresh complaint could be filed ? • What is the procedure in respect of complaint for the offence U/S 138, Negotiable Instrument Act. • When a protest petition by informant in a police case could be treated as complaint ? <p>(I) How Trial Begins Before Criminal Court:</p> <ul style="list-style-type: none"> • Precise discussion of Institution & Filing of FIR/ Filing of Charge sheet/ Cognizance/ Process for Appearance of accused and if in custody, his production. • Whether an accused may be dispensed with his personal attendance (S. 205)?

S.N.	Subject /Act	Topic's
		<ul style="list-style-type: none"> • When such application could be filed ? When it could be allowed and disallowed ? • How special summon can be issued for petty offences ? • When an accused may be allowed to be represented (S 317) ? • When a trial may be done without the presence of accused ? • Trial when said to have commenced ? • Supply of police papers to accused (S. 207, 208) • What types of cases to be treated to be instituted on police report though instituted by official complaint ? (Discussion of Labour Laws/ Forest Act/ Excise Act etc) • When and how cases are committed to the Court of Sessions without delay ? <p>(J) About conducting criminal trial/ Recording of Evidence before CJM/ ACJM/ ASJ Courts :</p> <ul style="list-style-type: none"> • What are the provisions of trial with regard to summons case instituted on police report ? • What is the provision relating to trial with regard to summons cases brought on complaint ? • What are the provisions for trial of warrant cases instituted on police report ? • What are the provisions for trial of warrant cases initiated on complaint ? • What are the provisions for trial of summon or warrant cases instituted otherwise than police report or complaint ? How to proceed in such cases ? • What is the provision relating to the offences triable by Assistant Sessions Judges ? • What provisions of trial are applicable to offences triable by Assistant Session Judge ? What are statutory limitations to the Court of Assistant Sessions Judges ? • How to frame flawless charge ? What are different perspectives in framing of charge ? • What are the stages of discharge ?

S.N.	Subject /Act	Topic's
		<ul style="list-style-type: none"> • When others may be impleaded as an accused in a trial ? (S. 319) • How to make flawless statement of accused u/s 313 ? What is its relevance ? • How evidence is collected in a criminal trial triable by CJM/ ACJM / ASJ ? • How documents & material exhibits to be taken in evidence ? (A reference of Criminal Court Rules on such point) • Methods of recording evidence. • When witness may be examined on commission ? • When evidence may be closed ? When evidence may be reopened (S 311) ? • What is provisions relating to “Adjournments” ? • About “Plea Bargaining “. • About “Compounding of Offences”. • Provisions relating to imposition of costs, Stages of costs, Where cost to be deposited & how ? • Summary procedure for giving false evidence etc. (S 344,348 - 351). • Procedure for contempt (S 345). • Procedure for offences relating to documents given in evidence etc u/s 195 & 340. <p>(H) About Concluding of Trial, Delivering Judgment and Principles of Appropriate Sentencing etc :</p> <ul style="list-style-type: none"> • When trial concludes ? • Stages of disposal of criminal cases ? • When and how judgment has to be passed ? • What is the concept of appropriate sentencing ? • What is the remedy against the judgment of acquittal / conviction ? • Provisions of fines & compensation in a judgment. • Concurrent & consecutive sentences. Facets of limit on maximum sentencing.

S.N.	Subject /Act	Topic's
		<ul style="list-style-type: none"> • When sentence in lieu of fine ? • When period of imprisonment undergone may be set off ? (With a reference of Jail Manual). • What is the power of imposing fine under CrPC. Is that limit operates under NI Act, Factories Act etc ? • What is maximum fine which may be imposed under NI Act ? • What is relevance of previous conviction ? • When benefit of Probation of Offenders Act may be given ? What is the procedure to be adopted ? • What if it appears on conclusion of trial that the case was not within the jurisdiction of the Court ? • What if on conclusion of trial it appears that the Court may not pass appropriate sentence ? • Provisions relating to “Destruction of Material Exhibits”. (In the context of Arms Act etc) <p>(I) About appreciation of Evidence :</p> <ul style="list-style-type: none"> • What are the guidelines for appreciation of evidence in a criminal trial ? • Discussion on “no evidence cases/ case of hostile witnesses/ Cases of solitary witnesses/ Cases of only partisan witnesses/ cases of related witnesses/ cases of circumstantial evidence”. • Appreciation of evidence in cases under Arms Act/ Labour Laws/ Excise Act/ Drug & Cosmetics Act etc . • Appreciation of medical evidence vis a vis ocular evidence. • A reference of medical jurisprudence. • Appreciation of electronic evidence/ DNA Report/ Experts Reports/ Finger Prints etc. • How previous conviction/ acquittal is proved ? What is its relevance ? <p>(J) Withdrawal of Cases : (S 321)</p> <ul style="list-style-type: none"> • Who is competent to withdraw a case from Court ? • What is the role of a Court ?

S.N.	Subject /Act	Topic's
		<p>(K) About Bail, Bail Bond, Release of Property & Disposal of Property etc. :</p> <ul style="list-style-type: none"> • Provisions relating to bail. • When bail may be given ? What should be caution ? • When bail should not be given ? • When Magistrate is not authorised to keep a accused in detention u/s 167 ? When accused can not be kept in custody beyond 60 or 90 days under this provision ? • What is the maximum period for detention prescribed u/s 436 A ? • What are the provisions relating to bail, bail bond & sureties. When sureties may be discharged from liabilities ? When they may be proceeded with for dishonor of the conditions of bail ? • What are the provisions relating to release of properties ? • What are the provisions relating to disposal of property during investigation/ during trial / after the conclusion of trial ? • Is there powers of provisional bail/ interim bail/ temporary bail/ conditional bail available to the Courts of CJM / ACJM / ASJ ? • When bail to the convicted may be or may not be granted in a case of conviction for the purpose of appeal ? • Cancellation of bail. (Case laws) <p>(L) About Cases Against Lunatic persons etc, Limitation for Cognizance & Irregular Proceedings :</p> <ul style="list-style-type: none"> • What are the provisions relating to cases against lunatic persons etc? • What is the bar on taking cognizance on account of limitation ? What is the limitation in respect of different kind of offences ?

S.N.	Subject /Act	Topic's
		<ul style="list-style-type: none"> • When a criminal proceedings is considered to be vitiated ? What is its impact ? <p>(M) About Provisions of Appeal, Reference & Revision:</p> <ul style="list-style-type: none"> • General concept to be discussed. <p>(N) Miscellaneous Topics :</p> <ul style="list-style-type: none"> • Procedure to be adopted for release in respect of girl/ woman/ child produced before the Court. • Discussion about transit remand. • Rights of arrested persons or a person in custody (Guidelines envisaged in DD Basu Case) • When trial may be stayed ? Discussion about S. 210.
2.	Indian Penal Act, 1860	<p>(A) Ambit & object of the Code.</p> <p>(B) Definitions :</p> <ul style="list-style-type: none"> • Discussion of important definition's given in S. 6 to 33, 39 52 A. • What is “Act” or “Omission” ? • Who is a “Public Servant” ? • What is “Common Intention” ? (S. 34) • What is “Common Object” ? (S. 149) • What is difference between common intention & common object ? • Theory of 'constructive' & 'joint liability' ? <p>(C) About Punishments :</p> <ul style="list-style-type: none"> • What are different types of 'punishments' ? • Who is competent to commute the sentence ?(S. 54 - 55A) • How imprisonment of life is reckoned ? • What is provision relating to Court's power to impose fine/ simple / rigorous / partly rigorous sentences/ sentence in lieu of fine etc ? (S. 60 – 75) <p>(D) About General Exceptions :</p> <ul style="list-style-type: none"> • What are general exceptions to offence ?

S.N.	Subject /Act	Topic's
		<p>(S. 76 – 95)</p> <ul style="list-style-type: none"> • What are the exceptions of right of private defence of person & property ? (S. 96 – 106) <p>(E) About Abetment : (S. 107 - 120)</p> <ul style="list-style-type: none"> • What is abetment ? What acts amount to 'abetment' ? • What may be different perspectives of offence of abetment ? • When an abettor may be held liable ? <p>(F) About Criminal Conspiracy : (S. 120 A- 120 B)</p> <ul style="list-style-type: none"> • What is criminal conspiracy ? What are its essential ingredients ? <p>(G) About Offences Against State etc : (S. 121 – 140, 153 B & 264 – 267, 489A-489E)</p> <ul style="list-style-type: none"> • What are the offences against state , army, navy & air force and Govt.? • What are the offences relating to weight & measures ? (With a reference to Weights & Measurements Act) <p>(H) About Offences Against Public Tranquility, Public Health etc & Religion : (S. 141 – 160 & 268-298)</p> <ul style="list-style-type: none"> • When unlawful assembly is said to has been formed ?What are its different aspects & implications ? • What is common object ? What is the meaning of “ in prosecution of common object” ? • What are the offences against public health, safety, convenience, decency & morals ? • What may be the offences appertaining to religion ? <p>(I) About Offences Relating to & Against Public Servant And Relating to Elections : (S. 161-171, 171 A – 171 I & 172 – 190)</p> <ul style="list-style-type: none"> • When a public servant is said to has

S.N.	Subject /Act	Topic's
		<ul style="list-style-type: none"> • committed an offence under IPC ? (Precise interface with Prevention of Corruption Act) • What are the offences relating to elections ? • When an offence is said to has been committed against a public servant ? (S. 353) • Who is public servant under IPC vis a vis Prevention of Corruption Act ?
		<p>(J) About Contempt of Lawful Authority : (S. 172 190)</p> <ul style="list-style-type: none"> • What are the acts amounting to be offences of contempt of the lawful authority of public servants ?
		<p>(K) About Offences Relating to False Evidence & Against Public Justice etc : (S. 191 - 229A)</p> <ul style="list-style-type: none"> • What are the ingredients of different offences u/s 191 – 229A ?
		<p>(L) About Offences Against Body : (S. 299 – 377)</p> <ul style="list-style-type: none"> • What amounts to “culpable homicide” • What amounts to “murder” ? • What is distinction between culpable homicide & murder ? • When culpable homicide not amounts to murder and when it amounts to murder ? • When a person causes death by negligence ? • When it is said that dowry death has been caused ? (here a refernce to S. 498A IPC & Dowry Prohibition Act also to be made) • When an offence of attempt to murder is said to has been made out ? • What is hurt & grievous hurt ? When it is said that “voluntarily hurt” has been caused ?

S.N.	Subject /Act	Topic's
		<ul style="list-style-type: none"> • What is difference among offences u/s 323, 324, 325,326 etc. ? • What is distinction between “wrongful restraint” & “wrongful confinement ? • What is an offence of 'criminal force' and ' assault' ? • What are the offences relating to 'kidnapping, abduction, slavery & forced labour ? • What is distinction between kidnapping & abduction ? • What are unnatural offences ? <p>(M) About Outraging Modesty of Women, Rape etc : (354, 366, 366A, 366B, 372, 375-376)</p> <ul style="list-style-type: none"> • What are the ingredients to make out an offence of outraging modesty of a women by assault or criminal force ?(S.354) • Offence of “Rape” & Criminal Law Amendment Act, 2013. Ingredients to make out offences under this head. • When an offence of kidnapping, abducting or inducing woman to compel her marriage etc or procurement of minor girl is said to be committed ?(S. 366, 366A) • When an offence of importation of girl from foreign country is said to be committed ?(S. 366B) • When an offence of selling minor for prostitution is said to be committed ? (S. 372) <p>(N) Offences Against Property : (S.378 – 462)</p> <ul style="list-style-type: none"> • Theft. • Robbery. • Dacoity. • Dishonest Misaappropriation.

S.N.	Subject /Act	Topic's
		<ul style="list-style-type: none"> • Criminal Breach of Trust. • In possession of stolen property. • Cheating. • Mischief. • Criminal Trespass.
		<p>(O) About Offences of Documents/ Property Marks/ Currency etc : (S. 463 – 489 E)</p> <ul style="list-style-type: none"> • What is “Forgery” ? What are offences of forgery ? • What are offences relating to currency & banknotes ?
		<p>(P) About Offences Relating to Marriage : (S.493 – 498 & 498A)</p> <ul style="list-style-type: none"> • Deceitful cohabitation. • Bigamy. • Adultery. • Subjecting a woman to cruelty by husband /relatives.
		<p>(Q) About Defamation : (S. 499-502)</p> <ul style="list-style-type: none"> • How offence of defamation is said to has been committed ? • Whether both civil & criminal proceedings may be initiated for the offence of defamation ?
		<p>(R) About Offence of Intimidation/ Insult/ Annoyance : (S. 503 – 510)</p> <ul style="list-style-type: none"> • What intimidation/ insult/ annoyance ? When it is punishable ?
		<p>(S) About Attempt : (S. 511)</p> <ul style="list-style-type: none"> • When attempt is a punishable offence under IPC ? What are punishments provided ?
		<p>(T) Miscellaneous on IPC :</p> <ul style="list-style-type: none"> • What is the principle of “Motive”, “Genesis”, “Mens Rea” “Actus Reaus”, “Animus” etc for commission of offence under IPC and other special Act's ? • What are the offences triable by Assistant Sessions Judges ?

S.N.	Subject /Act	Topic's
3.	Indian Evidence Act, 1872	(1) Scope & ambit.
		<p>(2) Relevancy of Facts :</p> <ul style="list-style-type: none"> • What is “Fact” ? [(1972) 1 SCC 249] • What is “Fact in Issue “ ? • What is “Relevant”? • What is 'proved', 'disproved' and 'not proved' ? • What is 'may presume' and 'shall presume' ? • What is 'conclusive proof' ? • Whether 'conclusive proof' may be allowed to be disproved ? • What sort of evidence is required to be given ? (S 5) • Whether all relevant facts are admissible one [(1975) 4 SCC 428] ?What type of evidence is inadmissible ? • What is a fact forming part of same transaction (Res gestae) ? (S. 6-8) • When a tape recorded statement may be admissible in evidence ? • When motive, preparation and previous or subsequent conduct may be relevant (S. 8) ? (Study of limitation) • Whether evidence of TIP is substantive or corroborative ? Whether TIP is public document ? Whether a Magistrate who has conducted TIP may be required to depose in Court ? • Can identification be accepted by style of writing ? [(1974) 3 SCC 680] • When facts not otherwise relevant become relevant ? (S.11) • How plea of alibi is proved ? [(1984) 1 SCC 446, (1975) 4 SCC 257] • When facts showing existence of state of mind or of body or bodily feeling is relevant ? (S.14) • When facts bearing on question whether

S.N.	Subject /Act	Topic's
		<p>act was accidental or intentional is relevant ? (S. 15)</p> <ul style="list-style-type: none"> • What is “Admission” ? In what form it can be done ? What are its circumstances ? Is admission a substantive piece of evidence ? • Whether admissions are relevant piece of evidence & conclusive one ? Can it be proved against its doer ? (S. 21, 31) • When admission may operate as estoppel ? • What is distinction between 'admission' & 'confession' ? • When oral admission about documents or electronic records may be relevant ? (S. 22, 22A) • What is 'confession' ? • Whether 'confession' may be admitted in evidence ? (AIR 1966 SC 40) • What is extra judicial confession & retracted confession ? What may be its importance ? [(1985) 1 SCC 505, (1985) 4 SCC 26, (1985) 2 SCC 341, AIR 1963 SC 1094] • Whether confession made to a police officer may be proved ? • How much information received from accused may be proved (S. 27) ? [(1969) 2 SCC 872] • When confession of co accused may be proved and against whom ? (S. 30) • When statement of person who can be called as witness may be relevant ? (S. 32) • What is 'Dying Declaration’ and its relevance and when it is admissible ? [S. 32 (1)], [(1984) 4 SCC 116] • Whether dying declaration requires corroboration ? [(1985) 1 SCC 552, 557]

S.N.	Subject /Act	Topic's
		<ul style="list-style-type: none"> • When evidence in one judicial proceeding may be relevant in subsequent judicial proceeding (S.33) ? When judgment of a Court may be relevant (S. 40-44) ? • What are statement's made under special circumstances ? (S. 34 – 38) • How much statement is to be proved ? • When opinion of “Experts” such as examiner of electronic evidence/ handwriting expert etc may be relevant and how it is proved ? (S. 45 – 47A) • What type of other opinions are relevant ? (S. 48-51) • When opinion about relationship is relevant ? • Whether 'character' is relevant ? (S. 52-55) • What is relevance of 'good' or 'bad ' character in a criminal case ? (S. 53 & 54) • What is relevance of 'previous conviction' ? <p>(3) About Proof :</p> <ul style="list-style-type: none"> • What are the facts which are not required to be proved ? (S. 56) • What are the facts of which Courts have to take judicial notice ? (S. 57) • What is the value of oral evidence in civil & criminal cases ? (S. 59-60) • When oral evidence is excluded by documentary evidence ? (S. 91 100) • What is documentary evidence & its kinds (S. 61-64) ? How a documentary evidence may be proved & brought on record (exhibited) ? (A reference to CPC as well as Civil & Criminal Court Rules to be made for comprehensive understanding) • When secondary evidence may be adduced ? (S. 65 & 66)

S.N.	Subject /Act	Topic's
		<ul style="list-style-type: none"> • Is the electronic evidence a documentary one ? When it is admissible (S. 65A & 65 B) ? (A reference to IT Act etc to be made) • How execution of document may be proved ? (S. 68 - 73) • What are public & private documents ? How it may be proved ? What is value of certified copy of public documents ? (S. 74 – 78) • What is “Presumption” under Indian Evidence Act ? • What is 'presumption of law' and 'presumption of fact' ? (A comparative analysis) • When a document “shall be presumed” to be genuine ? (S. 79 – 86, 113 B, 114 A) • When a Court “may presume” about the genuineness of any document ? (S. 87 – 90A, 113A & 114) <p>(4) About Burden of Proof : (s. 101 - 114)</p> <ul style="list-style-type: none"> • Who has burden of proof in a criminal case ? (A reference of offences related to dowry, related to woman, Prevention of Corruption Act and other Special Act's to be made) • When burden of proof shifts ? <p>(5) About Estoppel : (S. 115)</p> <ul style="list-style-type: none"> • What is estoppel ? • When admission is estoppel ? • When a party may be estopped in a litigation ?
		<p>(6) About Witnesses & Their Examination :(S. 118-166 & 167)</p> <ul style="list-style-type: none"> • Who may be competent to testify ? • What is provision relating to a child witness ? • Who can be called as witness ? (S. 121 – 130)

S.N.	Subject /Act	Topic's
		<ul style="list-style-type: none"> • Who is “Accomplice” ? What is significance of his evidence in a trial ? Can it be basis for conviction without corroboration (S. 133) ? (An elaborate analysis with case laws) • About hostile witnesses. • About partisan witnesses. • About related witnesses. • Medical evidence vis a vis ocular evidence. • About circumstantial evidence. • Whether law mandates for any particular number of witness to prove any fact ? • What will be order of production of witnesses ? Who will begin evidence in a civil suit ? • When a witness may be recalled by the parties ? What is the role of Courts under such situation ? (A reference to relevant provision in CrPC to be made) • Whether improper admission and rejection of evidence may be basis for new trial or reversal of decision ? <p>(7) Miscellaneous Topics :</p> <ul style="list-style-type: none"> • What is evidentiary value of FIR ? • What is significance of case diary ? Can it be used by Courts ? • Understanding of <u>Medical Jurisprudence</u>. • Recent Amendments & case laws.
4.	Probation of Offenders Act, 1958	<ul style="list-style-type: none"> • What benefit this Act envisages to a guilty ? (A comparative study with S.360 CRPC) • Whether power to give benefit of probation is discretionary ? • Whether a guilty may claim benefit of probation as a matter of right ? • What are the conditions to be taken into consideration to give benefit of probation ? (S. 3-6)

S.N.	Subject /Act	Topic's
5.	Negotiable Instrument Act, 1881	<ul style="list-style-type: none"> • What are the ingredients of offence to be made u/s 138 ? • Whether a FIR will lie or complaint ? • Who can file complaint ? • Is offence under NI Act compoundable ? • What is sentence prescribed ?
6.	Drug & Cosmetics Act	<ul style="list-style-type: none"> • What are the offences under this Act ? • Which is competent Court for trial of offences under this Act ?
7.	Forest Act	<ul style="list-style-type: none"> • Offences under this Act . • Institution of case & procedure before Courts. Competence of Court. (A reference of procedure under NDPS Act) • Bail & Release while confiscation proceedings are pending.
8.	Excise Act	<ul style="list-style-type: none"> • Offences under this Act . • Institution of case & procedure before Courts. • What is role of police ? • Competence of Court. • Bail.
9.	Electricity Laws	<ul style="list-style-type: none"> • Offences under this Act . • Institution of case & procedure before Courts. • Who is competent to investigate ? What is role of police ? • Competence of Court. • Bail.
10.	S.C. & S.T. (Prev. of Atro.) Act, 1989	<ul style="list-style-type: none"> • Offences under this Act. • Competence of Court. • Institution, trial & bail. • Compensation under this Act . (A reference of Bihar Victim Compensation Scheme)
11.	IT Act (Cyber Crime)	<ul style="list-style-type: none"> • Offences under this Act. • Competence of Court. • Institution & trial.

S.N.	Subject /Act	Topic's
12.	Arms Act	<ul style="list-style-type: none"> • What are the offences triable by Magistrate Ist Class & triable by Sessions Court ? • Institution, trial & bail. • Regarding disposal of seized article after conclusion of trial.
13.	Juvenile Justice Act	<ul style="list-style-type: none"> • What is the maximum age of juvenile ? • How age of a juvenile is decided ? Which Court is competent to decide ? • Competence of trial, procedure, bail & sentence. • What if a under trial juvenile attains the age of majority ?
14.	Dowry Prohibition Act	<ul style="list-style-type: none"> • Offences under this Act. • Competence of Court. • Institution, trial & bail.
15.	Domestic Violence Act	<ul style="list-style-type: none"> • Offences under this Act. • Competence of Court. • Institution, trial & bail.
16.	POCSO Act	<ul style="list-style-type: none"> • Offences under this Act. • Competence of Court. • Institution, trial & bail.
17.	Food Adulteration Act	<ul style="list-style-type: none"> • Offences under this Act. • Competence of Court. • Institution, trial & bail.
18.	Essential Commodities Act	<ul style="list-style-type: none"> • Offences under this Act. • Competence of Court. • Institution, trial & bail.
19.	Mines & Minerals Act	<ul style="list-style-type: none"> • Offences under this Act. • Competence of Court. • Institution, trial & bail.
20.	Prevention of Corruption Act, 1988	<ul style="list-style-type: none"> • Offences under this Act. • Sanction. • Competence of Court. (A reference of Bihar Special Courts Act, 2013) • Institution, trial, seizure & bail.

S.N.	Subject /Act	Topic's
21.	Labour Laws	<ul style="list-style-type: none"> • A precise reference about institution, trial, bail etc.
22.	Legal Services Authority Act, 1987	<ul style="list-style-type: none"> • Object. • Relevant provisions/ ADR (vis a vis Plea Bargaining under CRPC)
23.	Jail Manual & Police Manual	<ul style="list-style-type: none"> • Reference of relevant provisions.
24.	Criminal Court Rules	<ul style="list-style-type: none"> • Comprehensive study.
25.	Miscellaneous	<ul style="list-style-type: none"> • Criminal Law Amendment Acts 2008 & 2013. • Judgment & order writing in Criminal Trial. • Court & office management/ Inspection of court & office. Official correspondence/ official letter writing/ preparation of statements/ returns/ reports. • E-Court Information System. • Tools of speedy justice • Time management/ Leadership/ Dealing with members of bar/ Speech Craft/ Health Management. • Conducting domestic/ departmental inquiry as Inquiry Officer/ Presenting Officer. • Principles of judicial conduct.

CIVIL PROCEDURE CODE

S.N.	Subject/ Act	Topic
1.	Civil Procedure Code 1908	<p>Precise discussion on object & ambit of the Code.</p> <p>(1) Different types of Civil Courts & their jurisdiction : (S.3-8)</p> <ul style="list-style-type: none"> • What are the types of Civil Court's in general ? • What is 'jurisdiction' of a Civil Court ? • What are the types of jurisdiction ? • What is pecuniary jurisdiction ? • What is territorial jurisdiction ? • What is the implication of jurisdictional error in a suit and power of Civil Court in this regard ? • What is appropriate time to raise objection in regard to jurisdiction ? (AIR 2003 SC 2508) • What is the implication of not raising an objection of jurisdiction by any party to the suit ? • When objection to jurisdiction could be decided ? • Can objection to jurisdiction be raised at the time of argument ? • Can a suit of lower pecuniary value be tried by a Civil Court of greater pecuniary jurisdiction ? • What is impact of trying of a suit by a court having no territorial jurisdiction ? • What is the impact of trying of a suit by a court having lower grade of pecuniary jurisdiction ? • Does 'consent' confer jurisdiction to try a dispute ? • When two courts have jurisdiction, can parties to dispute do an agreement that the suit be tried by any one of such courts ? • Can exclusion of Civil Court's jurisdiction be done ? • What is the meaning of 'Implied Bar' & 'Explicit Bar' ? • Whether service matters can be maintained in a Civil Court ? (AIR 2004 SC 1373) • What kind of suits may be maintainable in a Civil Court ? (Study with case laws) • What may be the case not maintainable in Civil Courts ? (Study with case laws) • When there are several defendants residing at different places, where the suit may be filed ? • What is the place of suing in the case of corporation/ firm/ company/ society/ trust/ juristic persons ? • When & how a suit for damage may lie in a Civil Court ? (Discussion of different situations with examples & case laws) • What is the meaning of term “ Civil Court to try all cases of civil nature except those which are expressly or impliedly barred” ? • Whether objection to jurisdiction can be raised first time at the level of appellate or revisional court ?

S.N.	Subject/ Act	Topic
		<ul style="list-style-type: none"> • Whether objection to jurisdiction is question of law or fact or mixed question of both ? • What is the principle of exclusion of jurisdiction ? • How to assess the valuation of a suit for the purpose of jurisdiction & Court Fee ? (Study of Suit Valuation Act/ Court Fee Act/ Agra, Awadh, Bengal Civil Court Act/ Patna High Court Rules/ Civil Court Rules etc) <p>(2) Bar on jurisdictional power of Civil Courts (S.9-11) :</p> <ul style="list-style-type: none"> • What is the meaning of 'Impliedly barred' ? How to infer it ? • What is the meaning of 'Expressly barred' ?How to ascertain it ? • Express or Implied bar of jurisdiction on Civil Courts envisaged in CPC vis a vis by special Acts, such as ; Consolidation Law, Revenue Laws, Bihar Hindu Religious Trust Act, Industrial Disputes Act, Bihar Panchayati Raj Act , Service Matters and other laws. • Discussion of jurisdiction under CPC vis a vis Bihar Land Dispute Resolution Act. • What is a 'Math'? Who is a 'Mahanth'? What is the rights & duties of a 'Mahanth' ? Whether a person can file a suit for his right of appointment as Mahanth or for declaration that he is 'Mahanth' or for declaration of his title over any or all of properties of a 'Math' ? How property of a 'Math' could be acquired ? Whether the property of a “Math” is personal property of a 'Mahanth' ? Under What circumstances a suit relating to 'Math' may lie in a Civil Court ? • Whether pendency of criminal proceedings relating to same matter will be bar to civil suit ? <p>(3) Stay of Suit : (S. 10)</p> <ul style="list-style-type: none"> • What is the provision relating to stay of a suit ? • What is the meaning of 'directly & substantially in issue in a previously instituted suit' ? • What is to be considered by a Civil Court while deciding an issue on the point of stay of suit ? • Under what circumstances a suit may be stayed u/s 10 CPC ? • Whether this rule applies to institution of suit ? • Whether this rule applies to trial of a suit ? • Does this rule preclude a court from passing orders; such as – grant of injunction, appointment of receiver etc, (Study with case laws) <p>(4) Res Judicata : (S.11)</p> <ul style="list-style-type: none"> • What is prerequisites for <i>res judicata</i> ? • What is the meaning of expression 'directly & substantially in issue/ ' former suit/ 'between the same parties' / ' between parties under whom they or any of them claim/ 'litigating under same title/ 'Court competent to try such subsequent suit or the suit in which such issue has been subsequently raised/ ' has been heard and finally decided by such Court' ?

S.N.	Subject/ Act	Topic
		<ul style="list-style-type: none"> • Whether any relief claimed in the plaint and not expressly granted in decree will be deemed to have been refused for the purpose of S. 11 ? • Whether S. 11 will apply in the cases of 'Execution' ? • What does S. 11 imply where persons litigate bona fide in respect of a public right or of a private right claimed in common for themselves and others ? Will they be deemed to be claiming under the persons so litigating ? • Whether a decision of court of limited jurisdiction competent to try such issue, will operate as res judicata notwithstanding that it was not competent to try subsequent suit ? • What is the meaning of maxim ' nemo debet bis vexari pro una et eadem causa' ? • Whether a decision without jurisdiction may operate as res judicata ? [(2004) 1 SCC 497, (1998) 2 SCC 642] • Whether question of jurisdiction is pure question of law ? [(1991) 1 SCC 494, (1979) 4 SCC 83] • Whether ex parte decree/ a suit disposed of due to failure to produce evidence to operate as res judicata ? [(1996) 1 SCC 735] • Whether dismissal of suit on a technical ground (non joinder of necessary party etc) to operate as res judicata ? <p>(5) Bar to further suit : (S.12)</p> <ul style="list-style-type: none"> • Where there is preclusion by rules for a further suit on a particular cause of action, is a plaintiff entitled to bring a suit on same cause of action ? <p>(6) Place of Suing & transfer of suit : (S. 15 - 25)</p> <ul style="list-style-type: none"> • Where a suit will lie for the recovery of immovable property with or without rent or profits ? • Where a suit can lie for partition ? • Where a suit will lie for foreclosure, sale or redemption in the case of a mortgage of or charge upon immovable property ? • Where a suit will lie for the determination of any right to or interest in immovable property ? • Where a suit for compensation for wrong to immovable property will lie ? • Where a suit for recovery of movable property actually under distraint or attachment will lie ? • Where a suit can lie when disputed properties situate at different places ? • What will be place of suing when local limits of jurisdiction is uncertain ? • What is significance of term “ the defendant resides, or carries on business, or personally works for gain, within the local limits of the jurisdiction of another court ? If the wrong to person or
		<p>property is done in the jurisdiction of one court and defendant resides/ carries on business etc in different jurisdictions, where the suit will lie ?</p> <ul style="list-style-type: none"> • Where a suit will lie when several defendants reside/ work/ do business at different places ? • Will a suit lie challenging the validity of decree of a former suit between the same parties ? (Difference between S. 11 & S. 21 A)

- Can a suit be transferred ? Who is competent to transfer ? Where an application for such transfer may lie ? Where any such suit can be transferred ? For the purposes of the S. 24, which courts may be considered to be subordinate to District Court ? Is Supreme Court empowered to transfer suits etc ?
- Where an application can be preferred

(7). Institution of suits : (S. 26 r/w O. IV)

7. How a suit can be instituted ?
8. Whether mere presentation of plaint is sufficient for institution ?
9. When a plaint is said to be duly filed ?
10. What is the method of registration of a suit in Court ?
11. Whether notice U/S 80 CPC is mandatory for institution of suit against government ? Can it be relaxed ?

(8). Framing of suit, Pleadings Generally, Plaint, Written statement, Set Off & Counter Claim : (O. II, VI, VII, VIII)

- What are the ingredients of framing of a suit ?
- Whether a suit is required to include whole claim ? Effect of omission or relinquishment of part claim ? Can a plaintiff afterwards sue for omitted or relinquished part of claim ? Whether all reliefs to be included for same cause of action or not ? What is the result of non inclusion of all the reliefs ? Under what circumstances fresh suit can lie for omitted reliefs ?
- Can a plaintiff do joinder of several causes of action against several defendants ? Whether leave of court is required in a suit for joinder of cause of action for recovery of immovable property and what are its exceptions ?
- When a court can order for separate trial ?
- When objection as to misjoinder can be taken ?
- What is 'pleading' ? What is manner, mode & content of pleading ? Whether evidence is required to be stated in it ?
- Whether facts presumed in law needed to be stated in pleading ?
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S.N.	Subject/ Act	Topic
		<ul style="list-style-type: none"> • <i>Sine qua non</i> of lawful pleading. • What is concept of striking out of pleadings ? • What is consequence of a plaint not conforming to the provisions U/O VI or VII CPC ? • What is object of pleading ? • When a pleading is considered to be defective/ inconsistent / unnecessary / alternative ? • Evidence beyond pleading is acceptable or not ? • What is equitable & legal set off - 'approbate' & 'reprobate' ? • How a plaint can be admitted ? • Under what circumstances a plaint can be returned or rejected ? • If a plaint is returned or rejected, can it be filed again ? • Whether a plaint can be filed through post ? • If a plaint is short of court fee, what is the procedure ? • What is <i>ad valorem</i> court fee ? Under what situation it is required to be paid ? How <i>ad valorem</i> court fee is ascertained ? • What is limitation for filing of plaint/ written statement etc ? (CPC vis a vis Limitation Act 1963) • What are the particulars to be stated in a plaint for a money suit/ suit for immovable property and otherwise? • When a plaintiff can file suit as representative ? • What is the procedure for admission of plaint ? • When a plaint can be returned and what is procedure for return ? • What are the grounds for rejection of plaint and procedure to be followed ? • Whether plaintiff will be precluded from bringing fresh plaint after rejection of plaint ? • When plaintiff is required to produce documents he relies upon ? • What is proper occasion for filing of documents relied upon ? • What is mode of filing of written statement/ set off/ counter claim ? What is the statutory time limit for it ? Whether court can relax the time limit and under what circumstances ? • Whether defendant is required to file the documents he relies and when ? • What is specific pleading in written statement ? What is specific denial & evasive denial ? • How a claim of set off is done ? What is effect of claim of set off? • How counter claim is made and what is its effect ? • Who can claim exclusion of counter claim & how ? What is the effect of discontinuance of suit on counter claim ? • How subsequent pleading can be done ? • What is the procedure when a party fails to give written

S.N.	Subject/ Act	Topic
		<p>statement in due time ?</p> <ul style="list-style-type: none"> • What is the provision regarding amendment in pleading ? • When a plaint can be allowed to be amended and when not ? (Study of relevant case laws) • When a written statement can be allowed to be amended and when not ?(Study of relevant case laws) • Can a legal representative or heir of a deceased defendant bring fresh written statement on fresh grounds ? • What are the factors to be taken in to consideration in respect of amendment in pleadings ? • When proposed amendment is based on two different pleas, can it be allowed ? • What is the time provided to incorporate amendment ? What is the impact of failure to amend in time ? • Whether defendant can be allowed to amend admission in written statement ? • Is amendment ousting the jurisdiction of court permitted ? • What is effect of unverified pleadings and pleadings without affidavit ? • Whether partial rejection of plaint is possible ? • What is the relevant provision about pleadings in Civil Court Rules & Patna High Court Rules ? • What is distinction between terms “ plaint does not disclose cause of action” and “lack of cause of action in plaint” ? • What is doctrine of “Relation Back” and whether it has universal application ? [2013 (9) SCC 576] • Analysis of amendment U/O VI R 17 vis a vis provision of general power of Court to amend U/S 153. • When a trial commences ? • Whether the interlocutory petitions are pleadings ? • What is <i>factum probabanda</i> ? What is its significance in mortgage/ partition/ eviction suit ? • What is the concept of cause of action in the cases of – telecast on TV/ picture in cinema hall/ on web site/ SMS/MMS etc ? • Whether a plaint can be returned if the statute provides for alternative remedy ? • Whether a suit for declaration without further relief is maintainable U/S 9 CPC ? • What is distinction between “ declaratory” reliefs and “possessory “ reliefs ? • Whether the preliminary issue can be decided prior to framing of issues ? <p>(9) Parties to suits : (O I)</p> <ul style="list-style-type: none"> • What is necessary party ?

S.N.	Subject/ Act	Topic
		<ul style="list-style-type: none"> • What is proper party ? • What is non joinder of a party and what is its implication ? • What is the concept of mis joinder of party and its effect ? • Will the suit fail for non joinder or mis joinder of proper parties ? • What will happen when there is non joinder or mis joinder of necessary party ? • When objection as to non joinder or mis joinder of parties could be taken ? Can it be raised after settlement of issues ? When it amounts to waiver if such objection is not raised in time provided ? • Can a attorney holder sign a plaint or prosecute a case and even depose as plaintiff ? • Can a court strike out a party improperly joined or add party(ies) necessary for effectual or complete adjudication ? • When question of joinder of defendants arise ? • When question of joinder of plaintiff arises ? • When the situation of mis joinder of plaintiffs arise ? • When the situation of mis joinder of defendants arise ? • Is mis joinder of plaintiff or defendant fatal to the suit ? Will the suit be dismissed ? What will be course of action ? • What will happen if such defect is not removed ? Whether decree passed under such situation will be valid or invalid ? • What is a suit in representative capacity ? (A analytical study of O I R 8 vis a vis S. 133 CrPC & Article 226 of Constitution) • Whether in case of partition suit all the members of family and in case of partnership firm all the partners are essential to be made parties ? If any of them are not interested to be made plaintiff what is course of action ? • Can a suit be dismissed for non joinder of necessary party ?Is the decree passed in absence of necessary party a nullity ? • If a suit is dismissed for non joinder of necessary party, can a plaintiff rectify such error in appeal ? • Is the consequence of non joinder of proper party is same as in the case of non joinder of necessary party ? If a decree passed in absence of proper party will bind him? <p>(10) Cause of action : (O. 2)</p> <ul style="list-style-type: none"> • What is the definition of cause of action ? Is it defined under CPC ? • Can a court of competent jurisdiction proceed in suit devoid of cause of action ? • Can a court proceed when part of the cause of action has arisen under its jurisdiction ? • When a plaint does not disclose cause of action what will be its fate ?

S.N.	Subject/ Act	Topic
		<ul style="list-style-type: none"> • What will be the cause of action in a suit of damages for breach of contract ? • When there are several cause of actions arising out of same transaction, will there be requirement of separate suit in respect of each distinct cause of action ? • What is the difference between O. II R 2 (2) & R 2(3) with interface to S 11 (constructive res judicata) ? • Can two simultaneous suit be consolidated for hearing together ? If yes, under what circumstances ? • What is splitting of claim ? Does the principle of splitting of claim apply to appeals, insolvency proceedings, execution proceedings, arbitration proceedings etc ? • What is joinder of causes of action ? When it can be done ? When it can not be done without the leave of the Court ? • When a plaintiff can unite several causes of action in one suit ? When court will not allow it ? [Sacharine Coproration Ltd. Vs. Wild {15 (1903) 1 Ch 410}] • What is the appropriate relief which may be claimed in a suit of specific performance of contract in respect of movable properties ? What may claimed for a tort committed ? What may be claimed when a tort is apprehended to be committed ? • In a suit of mortgage, what remedy is available to a mortgagor and what to mortgagee ? • What types of claim may arise in a suit of contract ? <p>(11) Appearance of Parties & Consequence of Non appearance :</p> <ul style="list-style-type: none"> • How summon & notice to served on parties ? • When summon or notice to parties construed to be satisfactory. • What is the course of action when notice is satisfactory and parties do not appear ? • Whether the term “Ex parte proceedings” is defined in CPC or any other law ? What does it mean ? • When ex parte judgment/ decree could be passed ? • What is the legal recourse available under the law against ex parte decree ? Can it be set aside (O IX R 13) ? • When suit can be dismissed U/O IX R 2 & 5 in default of plaintiff ? • When suit to be dismissed for default of both sides (O IX R 3) ? • What is the legal recourse available to plaintiff when suit is dismissed U/O IX R 2 , 3 or 5 ? Can he bring fresh suit or may bring application for setting aside dismissal order & restoration of suit (O IX R 4) ? Whether law of limitation will be attracted under such circumstances ?

S.N.	Subject/ Act	Topic
		<ul style="list-style-type: none"> • When plaintiff appears and defendant does not appear, can the suit be proceeded with ex parte (O IX R 6)? What recourse is available to defendant U/O IX R 7 ? • If only defendant appears what will be course of action ?If subsequently suit may be dismissed or may be partly or wholly decreed U/O IX R 8? If it is partly decreed, what will be recourse available to plaintiff subsequently ? If it is dismissed, whether plaintiff will be precluded from bringing a fresh suit ? • Analytical study of O VIII R 10 & O IX R 8 & O 17 R 2 & 3. • How court has to ascertain admission or denial of pleadings at the out set ? • Whether it is mandatory for the court to direct for ADR ? What is mechanism given under the law ? <p>(12) Discovery & Inspection :</p> <ul style="list-style-type: none"> • What is 'discovery by interrogatories' & what is the procedure to be followed by the parties & the Court ? • Can an interrogatory be objected ? • When interrogatory may be set aside or struck out ? • Can a court order for production of any document ? • When an application for discovery of document can be made ? • What is the procedure of inspection of documents ? • If the order for discovery is not complied by plaintiff, can the suit be dismissed ? Similarly if it is defendant, can his defence be struck out (O XI R 21) ? • Can the answers of interrogatories be used in evidence ? <p>(13) Admissions : (O XII)</p> <ul style="list-style-type: none"> • What amounts to admission of whole or any part of case ? • How & within what time admission of documents can be done ? • When a document can be deemed to be admitted ? • Whether admission under this provision in one suit can be used in any other suit ? • When a judgment can be pronounced on the basis of admissions (R 6) ? <p>(14) Production, Impounding & Return of documents : (O XIII)</p> <ul style="list-style-type: none"> • When original documents to be produced in court ? • What is “Impounding” of a document ? • What is the procedure to return the documents (R 9) ? <p>(15) Framing of Issues :(O XIV)</p> <ul style="list-style-type: none"> • What are issues of fact in a suit ? • What are issues of law in a suit ? • What is issues of mixed question of law & fact ? • How issues are framed ? What is to be considered for it ?

S.N.	Subject/ Act	Topic
		<ul style="list-style-type: none"> • When a preliminary issue is required to be framed and decided ? • When issues can be amended or struck out by the Court? • Whether it is necessary to pronounce judgment on all the issues ? • When a court may examine witnesses or direct for production of any document for its own inspection for the purpose of framing of issues ? (R 4) <p>(16) Disposal of Suit on First Hearing : (O XV)</p> <ul style="list-style-type: none"> • When & under what circumstances a Court can pronounce judgment on first hearing ? Is there scope of proceeding further in suit thereafter ? If yes under what circumstances ? (R 2) • When a judgment could be pronounced U/O XV R 4 ? <p>(17) About Witnesses & Their Examination : (O XVI, XVI A & XVIII)</p> <ul style="list-style-type: none"> • When & how list of witnesses to be furnished ? Can out of list witnesses be examined ? What is procedure for issue of summons for a witness ? • When summon for production of documents can be issued ? • What is the power of Court where witness fails to comply with summons ? • When a witness of either of the parties could be permitted to be examined immediately (O XVIII R 16) ? • When commission could be issued for examination of any witness ? (OXVIII R 19) • What may be consequence of refusal by a party to give evidence (R 20) ? • What is the procedure to procure attendance of a witness in prison ? • How to begin evidence ? Is it plaintiff or defendant who will begin ? • What is the mode of adducing of examination in chief ? • When evidence is required to be recorded in question & answer ? • Whether demeanour of a witness is required to be recorded by the Court ? • When a Court may recall & examine a witness (XVIII R 17) ? <p>(18) Adjournments : (O XVII)</p> <ul style="list-style-type: none"> • What is the law about adjournments ? When it can be allowed and on what conditions ? What is the limit of adjournments ? • Does statute mandate for day to day hearing of suit ? • What should be construed from the term “ not more than three adjournments” ? • Is the plea of advocate being engaged in other court or ill , a good reason for adjournment ?

S.N.	Subject/ Act	Topic
		<p>(19) About Argument, Judgment & Decree : (O XVIII & XX)</p> <ul style="list-style-type: none"> • After the closure of evidence parties may advance Arguments[O XVIII R 2(3A)] • When concise written argument is to be submitted [O XVIII R 2 (3 D)] ? • What is judgment ? • Within how much time judgment is to be delivered ? • Can a judgment be pronounced after 30 days ? What is the exception ? • Study of model format of judgment prescribed by Hon'ble Patna High Court. • What is 'decree' ? When it is required to be prepared ? • Is there any prescribed format for decree ? • How/ when it is prepared & notified ? • What amounts a 'decree' ? • What are the types of decrees ? • When preliminary decree could be passed ? • What is the appropriate stage of passing final decree ? • How a clerical or arithmetic error could be removed in judgment/ decree ? • How judgment is drawn in the cases of counter claim/ set off/ cross suits etc ? <p>(20) Injunction : (S. 94 & O 39)</p> <ul style="list-style-type: none"> • What is 'injunction' ? (A study of CPC vis a vis Specific Relief Act & other Act's) • What are the types of 'injunction' ? • What may grounds of injunction ? • How an injunction petition can be heard ? • When injunction may be allowed ? (Study with case laws) • When injunction should not be allowed ? (Study with case laws) • Is there provision of 'stay' or 'status quo' under CPC ? Can such order be passed ? • What, if injunction order is violated ? <p>(21) Consequences of Death of Any Party : (O XXII R 1-6)</p> <ul style="list-style-type: none"> • What is the procedure to be followed when a party dies ? • What is 'abatement of suit' ? • When a suit is deemed to be abated ? • How abatement could be set aside ? • What is the consequence if a suit is abated ? • What if rest of the plaintiff or defendant is / are alive and on record ? Will the suit proceed further ? • Can a judgment be passed against a dead person ?

S.N.	Subject/ Act	Topic
		<ul style="list-style-type: none"> • Whether right to sue survives after the death of party ? • What after marriage of party ? • When question of determination of representative arises ? • What if there is no legal representative ? • What is the procedure when a party becomes insolvent ? <p>(22) Commission : (O XXVI)</p> <ul style="list-style-type: none"> • When commission for local inspection may be appointed ? What are guiding principles for it ? (Study with case laws) • When a commission for scientific investigation or otherwise could be issued ? • When a commissioner has to submit its report ? • How objection could be filed against the report of commissioner and heard ? • Can a second commissioner be appointed ? • What is the relevance of a report of commissioner ? • Whether a commissioner may be required to depose in Court ? • What are the procedures to be followed by a commissioner ? What is his power ? • When a commissioner is required to be appointed in a partition suit ? <p>(23) About Arrest & Attachment Before Judgement : (O XXXVIII)</p> <ul style="list-style-type: none"> • What is the procedure for arrest in a civil suit ? When it may be required ? • What is the procedure for attachment in a civil suit ? When it may be required ? <p>(24) About Compromise :</p> <ul style="list-style-type: none"> • When a decree on compromise may be passed ? • What is the procedure required to be adopted by the Court while resorting for a decree on compromise ? • When such decree may not be passed ? • On what grounds a decree on compromise may be challenged ? • What is the forum available to challenge a compromise decree ? • Who is bound by a compromise decree ? <p>(25) About Inherent Powers of the Court : (S. 151 – 153A)</p> <ul style="list-style-type: none"> • What are the inherent powers of the Court ? (A critical study with case laws) • When & under what circumstances a judgment/ decree/ order may be amended/ corrected by a Court ? <p>(26) About Review, Reference, Revisions & Appeal : (OXXXIX, XLI, XLIII, XLIV, XLV, XLVI, XVII)</p> <ul style="list-style-type: none"> • An overview about reference, revision & appeal ? • What are interlocutory orders ? • How & where an interlocutory order may be challenged ?

S.N.	Subject/ Act	Topic
		<ul style="list-style-type: none"> • How much time a Court may allow to a party to challenge its order ? Where it is provided ? • When a review petition may allowed or rejected ? • Can a compromise decree be reviewed ? • Is the rejection order on a review petition appeal able ? <p>(27) About Withdrawal etc of Suit :</p> <ul style="list-style-type: none"> • When a suit may withdrawn or part claim may be abandoned ? What is its after effect ? • When a suit may allowed to be withdrawn with or without leave to bring fresh suit ? • When a defendant may be allowed to be transposed as plaintiff ? What is its impact on the suit ? • What is <i>sine qua non</i> of a decree on compromise ? Whether a suit can lie for setting aside a compromise decree ? What remedy is available in law to set aside a compromise decree ? <p>(28) About Costs :</p> <ul style="list-style-type: none"> • What are the occasions in suit when a Court may order for cost ? <p>(29) About Appointment of Guardian & Receiver : (O XXXII & XL)</p> <ul style="list-style-type: none"> • When a guardian can be appointed by a Court for minor ? • When a receiver can be appointed in a suit ? What are duties of a Receiver ?(Critical study with case laws) • Who can sue for a minor/ person of unsound mind ? What is next friend ? Who can represent a minor/ person of unsound mind? • Can a decree against a minor/ persons of unsound mind be set aside ? What are exceptions ? • What is unreasonable or improper suit ? <p>(30) About Caveat : (S. 148A)</p> <ul style="list-style-type: none"> • What is caveat ? • Who can file a petition of caveat & when it can be filed ? • What order a Court may pass in to a caveat petition ? <p>(31) About Suits of Family Matters/ Suits By Indigent Persons/ Special Case/ Summary Procedure : (O XXXII-A, XXXIII, XXXVI & XXXVII)</p> <ul style="list-style-type: none"> • What is a suit relating to family matters ? What is a 'family' for this purpose ? What is duty of Court in such cases ? • What is suit in 'forma pauperis' ? How suits by indigent persons are filed & disposed of ? • What are special cases ? How it is filed, heard & disposed of ? • What is 'summary procedure' ? What procedure is adopted in such cases ? Which court is competent for such cases ? <p>(32) About Interpleader Suit & Suits Relating To Mortgages of Immovable Property : (O XXXV & XXXIV)</p> <ul style="list-style-type: none"> • What is inter pleader suit ?

S.N.	Subject/ Act	Topic
		<ul style="list-style-type: none"> • What are the suits for foreclosure, sale and redemption? • Who may be parties to such suits ? • When preliminary or final decree may be passed in such suits ? <p>(33) About Suits By or Against Govt. or Public Officers / Military or Its Personnel / Corporations / Firms & Persons Carrying Business In Others Names/ Trustees, Executors & Administrators : (O XXVII, XXVIII, XXIX, XXX & XXXI)</p> <ul style="list-style-type: none"> • Discussion of relevant provisions. <p>(34) Execution of Decrees & Orders : (O XXI)</p> <ul style="list-style-type: none"> • What is the definition of 'execution' ? Is it defined in CPC ? • Who may apply for execution ? • Which are the Courts who are competent for execution proceedings ? • Against whom execution may be applied ? • Can a decree may be executed against the property of judgment debtor or against the property of legal representative also ? • What is limitation to file an application for execution in a decree for mandatory injunction? What is limitation for filling execution application in other kinds of decrees ? (Reference of Articles 135 & 136 of Limitation Act) • When order for immediate execution may be passed ? • What is the procedure to be followed for execution ? How execution is to be done ? • What is the mode of execution of a decree ? (Different aspects under different laws to be discussed with relevant case laws) • Can women be arrested or detained in execution ? • Can a house be entered after sunset & before sunrise ? • What is maximum period of detention provided (different aspect to be discussed ? When he can be released before expiry period ? • Whether after expiry of detention period, a judgment debtor may be released ? If after release a judgment debtor is discharged from liability ? Can he be re arrested for same decree ? • What is “Garnishee” ? What is 'garnishee proceedings ' ? • When execution can be stayed ? Who is competent to stay ? How stay is to be given ? • When attachment in execution can be done ? Can a property be transferred during attachment ? • When an objection in execution can be filed ? Who can file it ? How it can be disposed of ? Can a stranger file objection and if yes, on what grounds ? • When & how a sale of property in execution can be done ? • What is the meaning of “functus officio” ? • What are the questions which may be decided by a executing court ? Whether such order is appealable ? • Can a void decree be executed ?

S.N.	Subject /Act	Topic's
2.	Indian Evidence Act, 1872	(1) Scope & ambit.
		<p>(2) Relevancy of Facts :</p> <ul style="list-style-type: none"> • What is “Fact” ? [(1972) 1 SCC 249] • What is “Fact in Issue “ ? • What is “Relevant”? • What is 'proved', 'disproved' and 'not proved' ? • What is 'may presume' and 'shall presume' ? • What is 'conclusive proof' ? • Whether 'conclusive proof' may be allowed to be disproved ? • What sort of evidence is required to be given ? (S 5) • Whether all relevant facts are admissible one [(1975) 4 SCC 428] ? What type of evidence is inadmissible ? • What is a fact forming part of same transaction (Res gestae) ? (S. 6-8) • When a tape recorded statement may be admissible in evidence ? • When subsequent conduct may be relevant ? • When facts not otherwise relevant become relevant ? (S.11) • What is “Admission” ? In what form it can be done ? What are its circumstances ? Is admission a substantive piece of evidence ? When admissions may be relevant in civil suits ? (S. 23) • When admission may operate as estoppel ? • When oral admission about documents or electronic records may be relevant ? (S. 22, 22A) • When statement of person who can be called as witness may be relevant ? (S. 32) • When evidence in one judicial proceeding may be relevant in subsequent judicial proceeding (S.33) ? When judgment of a Court may be relevant (S. 40-44) ? • What are statement's made under special circumstances ? (S. 34 – 38) • How much statement is to be proved ? • When opinion of “Experts” such as examiner of electronic evidence/ handwriting expert etc may be relevant and how it is proved ? (S. 45 – 47A) • What type of other opinions are relevant ? (S. 48-51) • When opinion about relationship is relevant ? What is to be taken into consideration when relationship is under challenge in a civil suit ? • Whether 'character' is relevant in a civil suit ? (S. 52-55)

S.N.	Subject /Act	Topic's
		<p>(3) About Proof :</p> <ul style="list-style-type: none"> • What are the facts which are not required to be proved ? (S. 56) • What are the facts of which Courts have to take judicial notice ? (S. 57) • What is the value of oral evidence in civil cases ? (S. 59-60) • When oral evidence is excluded by documentary evidence ? (S. 91 100) • What is documentary evidence & its kinds (S. 61-64) ? How a documentary evidence may be proved & brought on record (exhibited) ? (A reference to CPC as well as Civil Court Rules to be made for comprehensive understanding) • When secondary evidence may be adduced ? (S. 65 & 66) • Is the electronic evidence a documentary one ? When it is admissible (S. 65A & 65 B) ? (A reference to IT Act etc to be made) • How execution of document may be proved ? (S. 68 - 73) • What are public & private documents ? How it may be proved ? What is value of certified copy of public documents ? (S. 74 – 78) • What is 'Sada Patta' ? Can it be admitted in evidence ? • What is significance of 'Oral Transfer' ? (A reference of oral sale as well as gift etc under Muslim Law to be discussed) • Is entry in record of rights/ record of rights a conclusive proof of title & possession ? AIR 2008 SC 901, (2009 (2) PLJR 1028, (2006) 1 SCC 658/ AIR 2006 SC 376, (2007) 11 SCC 736, AIR 1997 SC 2181. • Whether recording of jamabandi create any title ? [(2007) 13 SCC 565] • What is relevance of revenue receipts ? (AIR 2008 SC 1456) • What is "Presumption" under Indian Evidence Act ? • What is 'presumption of law' and 'presumption of fact' ? (A comparative analysis) • When a document "shall be presumed" to be genuine ?(S. 79 – 86, 113 B, 114 A) • When a Court "may presume" about the genuineness of any document ? (S. 87 – 90A, 113A & 114) <p>(4) About Burden of Proof : (s. 101 - 114)</p> <ul style="list-style-type: none"> • Who has burden of proof in a civil suit ?

S.N.	Subject /Act	Topic's
		<ul style="list-style-type: none"> • When burden of proof shifts ? <p>(5) About Estoppel : (S. 115)</p> <ul style="list-style-type: none"> • What is estoppel ? • When admission is estoppel ? <p>When a party may be estopped in a litigation ?</p> <p>(6) About Witnesses & Their Examination :(S. 118-166 & 167)</p> <ul style="list-style-type: none"> • Who may be competent to testify ? • What is provision relating to a child witness ? • Who can be called as witness ? (S. 121 – 130) • Whether law mandates for any particular number of witness to prove any fact ? • What will be order of production of witnesses ? Who will begin evidence in a civil suit ? • When a witness may be recalled by the parties ? What is the role of Courts under such situation ? (A reference to relevant provision in CPC to be made) <p>(7) Miscellaneous Topic :</p> <ul style="list-style-type: none"> • Recent Amendments & case laws.
3.	Indian Limitation Act, 1963	<ul style="list-style-type: none"> • “Period of limitation” & “Prescribed Period”. • Bar on limitation. • Extension of limitation – prerequisites in various circumstances. (A reference of Specific Relief Act to be given in the context of specific performance of contract) • Continuous running & extension on acknowledgement. • Computation of limitation.
4.	Bihar Tenancy Act	<ul style="list-style-type: none"> • Provisions where suit may lie before a Civil Court.
5.	Transfer of Property Act, 1882	<ul style="list-style-type: none"> • Scope & ambit of the Act. • What is transfer of property in respect of movable & immovable properties ? Who is competent to transfer ? In whose favor transfer may be done ? What are modes of transfer ? • What is 'part performance' ? • What is 'sale' ? How sale is made ? • What is contract for sale ? How a suit of contract for sale may be dealt with ? • What is 'mortgage' ? What are its kinds ? How it is redeemed ? • What is 'foreclosure or sale' ? • What kinds of cases come before a civil court and how to deal with them ? • What is lease ? How it may be done?

S.N.	Subject /Act	Topic's
		<ul style="list-style-type: none"> • What type of case relating to lease may come before a civil court & how to deal with ? • What is 'exchange' ? How a valid exchange may be done ? • What is 'gift' ? How a valid gift may be done ? • What is difference between a gift under Hindu law & Muslim law ? • What is actionable claim ? Who can transfer an actionable claim ? • What is “Rule Against Perpetuity” ? • What is distinction between 'mortgage' & 'sale' ? What is mortgage with conditional sale ?
6.	Specific Relief Act, 1963	<ul style="list-style-type: none"> • Scope, ambit & latest amendments. • When a suit for recovery of specific immovable property can be brought ? Against whom such suit may lie ? What is limitation for it ? [(1975) 4 SCC 518] • What is adverse possession ? What is test for proof of adverse possession ? (Study of case laws) • A comparative study of S. 6, TP Act & S. 145, Cr.P.C. • What is remedy to an unsuccessful person in a suit u/s 6 ? • When a suit for recovery of specific movable property may be brought ? (S. 7) • When a suit for specific performance of contract or part of contract may arise ? When it is enforceable ? • When a suit for specific performance of re conveyance may lie ? • Whether title may be decided in a suit for specific performance ? • What are the rights of purchaser or lessee against person with no title or imperfect title ? • What is doctrine of frustration ? (AIR 1975 SC 261) • What are the contracts which may not be enforceable ? • Who is entitled for specific performance ? • What is significance of “readiness & willingness” in a suit for specific performance of contract ? • What are the discretion available to the courts in a suit for specific performance ? How it could be exercised ? • When a suit for rectification of instrument/ rescission of contract/ cancellation of instrument may lie ? What are different perspectives in such suits & role of Courts ? • When a declaratory decree' may be passed by the Court ?What is its impact ? • Provisions of “Injunction” (S. 36-42).

S.N.	Subject /Act	Topic's
		<ul style="list-style-type: none"> • When temporary or permanent injunction may be granted ? What are ingredients for it ? • What is mandatory injunction and when it can be granted ? • When damages in lieu or in addition to injunction can be granted ? • When injunction should be refused ? • When a situation of injunction to perform a negative agreement may arise ?
7.	Bihar Building (lease, Rent and Eviction) Control Act, 1982	<ul style="list-style-type: none"> • Scope & ambit. • Competence of Court under this Act. • How a suit of eviction/ partial eviction may be dealt with under this Act.
8.	Arbitration & Conciliation Act, 1996	<ul style="list-style-type: none"> • Where an arbitral award may be challenged ? • On what grounds an arbitral award may be challenged ? (S. 34)
9.	Hindu Law	<ul style="list-style-type: none"> • Special reference to succession & adoption. • Hindu Law Amendment Act 2005. • Who are coparceners ? (Reference of partition suit to be given) • What are provisions relating to Math/ Charitable endowments ? What type of suit may come before a Civil Court ? (A reference to Bihar Religious Trust Act to be given)
10.	Muslim Law	<ul style="list-style-type: none"> • Inheritance / Gift under Muslim law. • Partition under Muslim law. • What type of suit may arise before a Civil Court.
11.	Court Fee Act / Suit Valuation Act	<ul style="list-style-type: none"> • How valuation of suit is done (Procedure) ? • What is ad valorem court fee ? Where it may be applicable ? • What is procedure given in CPC in respect of less court fee ?
12.	Indian Registration Act	<ul style="list-style-type: none"> • A precise view about provisions relating to registration of instruments.
13.	Bihar Land Disputes Resolution Act	<ul style="list-style-type: none"> • Competence of court under the Act.
14.	Benami Transaction (Proh.) Act, 1988	<ul style="list-style-type: none"> • What type of suits may arise under this Act and competence of Court ?
15.	Bihar Panchayati Raj Act	<ul style="list-style-type: none"> • Jurisdiction of Gram Kutchehery & provision of appeal under this Act .
16.	Legal Services Authorities Act, 1988	<ul style="list-style-type: none"> • Salient features vis a vis S. 89 of CPC.

S.N.	Subject /Act	Topic's
17.	Indian Contract Act, 1872	<ul style="list-style-type: none"> • Discussion of important provisions which may come across for the adjudication of Civil Suits.
18.	Sales of Goods Act, 1930	<ul style="list-style-type: none"> • Discussion of important provisions which may come

		across for the adjudication of Civil Suits.
19.	General Clauses Act	<ul style="list-style-type: none"> • A precise reference of important provisions.
20.	Civil Court Rules	<ul style="list-style-type: none"> • Intensive study.
21.	Miscellaneous	<ul style="list-style-type: none"> • Amendment relating to Civil Laws & recent landmark case laws. • Judgment & order writing in Civil Trial. • Court & office management / Inspection of court & office. Official correspondence & official letter writing/ Preparation of statements/ returns/ reports. • E-Court Information System. • Tools of speedy justice • Time management/ Leadership/ Dealing with members of bar/ Speech Craft/ Health Management. • Conducting domestic/ departmental inquiry as Inquiry Officer/ Presenting Officer. • Principles of judicial conduct.

Curriculum For Labour Judges

S.N.	Subject/ Act	Topic
1.	Role of Labour Courts in Bihar & their jurisdiction	A detail study.
2.	Procedure in Labour Courts	A detail study vis a vis procedure adopted in 'Civil/ Criminal Court'.
3.	Industrial Dispute Act, 1947	<ul style="list-style-type: none"> • An overview of 'Industrial Adjudication'. • Reference of dispute to “Labour Court”. • Power of Labour Court. • Study of 2010 amendment in Industrial Dispute Act vis a vis corresponding old provision's . • Who is a 'Workman' ? • Who is not a 'Workman' ? • Who is 'Employer' ? • What is to be an 'Industry' ? • What is held to be not an 'Industry' ? • Retrenchment – when legal ? • Retrenchment – when illegal ? • When “Termination” amount's to 'Retrenchment' ? • “Termination” when does not amount to 'Retrenchment' ? • Prior permission for 'Retrenchment'. • Change in conditions of services – requisites. • Closure / Lay off / Lock out / strike – when held to be legal or illegal ? • Unfair labour practices. • What is 'continuous service' ? • Representation of parties. • Compensation to workmen in case of transfer of undertaking. • Orders for payment of back wages – conditions precedent. • Order for recovery of money due from employer – prerequisites. • Power of Labour Court to give relief in case of 'Discharge' or 'Dismissal'. • Whether withdrawal of support by the Union to a dispute to extinguish the industrial dispute ? • Whether a Labour Court can set aside its own 'Award' and resort for fresh adjudication ? • Settlement before Labour Court – its binding effect. • “Order” / 'Award' by a Labour Court. • 'Interim Relief' by Labour Court. • How the “Order” / 'Award' could be executed ? • In depth study of pertinent case laws.
4.	Employees State Insurance Act, 1948	<ul style="list-style-type: none"> • An overview with object of the Act. • Establishment/ shops covered under this Act. • Employees covered under this Act. • Whether employees engaged through contractor are covered under the Act ?

S.N.	Subject/ Act	Topic
		<ul style="list-style-type: none"> • Employees Insurance Court – whether it is 'Civil Court' or 'deemed to be a Civil Court'. • 'Wages' for ESI contribution. • Recovery of contributions. • Damages – For late or non-deposit of contributions. • Compensation under ESI Act. • Whether an employee covered under ESI Act can claim compensation or damage under any other law ? • Study of 2010 amendment vis a vis old provisions. • Study of pertinent case laws.
5.	Factories Act, 1948	<ul style="list-style-type: none"> • An overview with object of the Act. • What is 'Factory' under this Act ? • Who is “Employee/ labour/ workman” under this Act ? • Competent Court under this Act ? • Obligation of employer under the Act. • Rights of “Employee/ labour/ workman” under this Act. • Prosecution. • Penalties & procedure. • Amendments/ Relevant ruling's.
6.	Contract Labour (Reg. & Ab.) Act, 1970	<ol style="list-style-type: none"> 12. An overview with object of the Act. 13. Applicability of this Act. 14. What are the establishments covered under this Act ? 15. Is the Act applicable to the establishment carrying casual nature of work ? 16. Who is a 'contractor' ? 17. Who is a 'contract labour' ? 18. Who is 'principal employer' ? 19. Obligation of 'contractor'. 20. Obligation of 'principal employer'. 21. Rights of 'contract labour' under the Act. 22. Effect of non registration of licence by the 'contractor' or 'principal employer'. 23. Effect of non renewal/ revocation of licence. 24. Liability of principal employer in certain cases. 25. Contravention of Act, prosecution & penalties 26. Effect of laws & agreements inconsistent with this Act. 27. Prerequisites of abolition of contract labour. 28. Study of amendments/ relevant case laws with special thrust on Air India Statutory Corporation & Haryana State Electricity Board cases.
7.	Employees Provident Funds & Misc. Provisions Act, 1952	<ul style="list-style-type: none"> • An over view with object of the Act.. • Applicability of the Act. • What is the appropriate forum for settlement of disputes under this Act ? Jurisdiction of Labour Court, if any, under this Act ?

S.N.	Subject/ Act	Topic
		<ul style="list-style-type: none"> • Who is an 'employer' under this Act? • Who is an 'employee' under this Act ? • What is 'wages' and its significance under this Act ? • What are the obligations/ liabilities of 'employer' ? • What is right of an 'employee' ? • Coverage under this Act ? • Damages, if the payment of contribution is delayed. • Recovery of damages for default in payment of any contribution. • Can 'employer' reduce the wages etc of the employees to take the benefit under this Act ? • Powers/ jurisdiction of 'Provident Fund Commissioner' under the Act. • Contravention of this Act and procedure for prosecution. • Penalty/ punishment under the Act. • Study of amendments/ pertinent case laws.
8.	Workmen's Compensation Act, 1923	<ul style="list-style-type: none"> • An overview with object of the Act. • Coverage under the Act. • Who is 'employer' ? • Who is 'workman' ? • Meaning of term 'wages' under the Act & its significance. • What is method for calculating 'wages' ? • What amounts to 'partial disablement' ? • What amounts to 'total disablement' ? • Understanding the term 'compensation' ? • Who is 'dependent' for the purposes of this Act ? • Employer's liability under the Act. • What will be amount of compensation where death is resulted from injury ? • What will be amount of compensation where permanent total disablement is resulted from injury ? • What will be amount of compensation where permanent partial disablement is resulted from injury ? • What will be amount of compensation where temporary disablement , whether total or partial is resulted from injury ? • When compensation becomes due to be paid under the Act ? • What is provision for penalty in respect of default in payment of compensation ? • How compensation is to be distributed ? • Who is 'Commissioner' what is his power ? • Reports required to be submitted to 'Commissioner'. • Contract contrary to the Act to be null & void. • 'Agreement' in regard to compensation to be registered. • Effect of failure to register agreement. • Whether amount due under this Act, can be recovered ?

S.N.	Subject/ Act	Topic
		<ul style="list-style-type: none"> • Study of significance of term 'arising out of & during the course of employment' and its scope with pertinent case laws. • Prosecution for contravention of the Act, forum for such prosecution and penalties thereof. • Study of 2009 amendment vis a vis old provision's. • Study of land mark case laws.
9.	Payment of Wages Act, 1936	<ul style="list-style-type: none"> • An overview with object of the Act. • Coverage under the Act. • Who is 'employer' ? • What is the meaning of term 'wages' and what it does not include ? • Meaning of 'Industrial & other Establishment'. • Meaning of 'employee/ worker/ employed persons'. • Obligations of employer to fix wage period, pay 'wages' in stipulated time and to do certain other acts. Payment of undisbursed wages in case of death. • Can employer impose fine on any 'employed person' ? • Agreement/ contract inconsistent to the Act to be null & void. • Prosecution for contravention of the Act, forum for such prosecution and penalties thereof. • Study of land mark case laws.
10.	Minimum Wages Act, 1948	<ul style="list-style-type: none"> • An overview with object of the Act vis a vis Payment of Wages Act, 1936. • Coverage under the Act. • Who is 'employer' ? • What is the meaning of term 'wages' and what it does include ? • What is meaning of 'scheduled employment' ? • Meaning of 'employee'. • Payment for 'overtime'. • What is 'minimum wages' ? • Obligation of 'employer' under this Act. • Mode of payment of any undisbursed amount of wages in case of death or being untraceable. • Prosecution for contravention of the Act, forum for such prosecution and penalties thereof.
11.	Payment of Bonus Act, 1965	<ul style="list-style-type: none"> • An overview with object of the Act. • Coverage under the Act. • Who is 'employer' ? • What is the meaning of term 'salary or wages' ? • Meaning of 'employee'. • Meaning of 'accounting year'. • Obligation to pay 'minimum bonus'.

		<ul style="list-style-type: none"> • What is 'minimum bonus' ? • When 'maximum bonus' could be paid ? • What is 'allocable surplus' for the purpose of payment of bonus ? • Time limit for payment of bonus. • Mode of calculation of bonus. • Obligation of 'employers' to maintain prescribed registers/records & to submit returns. • Prosecution for contravention of the Act, forum for such prosecution and penalties thereof. Who can be prosecuted ? • Study of case laws.
12.	Payment of Gratuity Act, 1972	<ul style="list-style-type: none"> • An overview with object of the Act. • Applicability of the Act. • Once the Act becomes applicable it will continue to be applicable even if number of employed persons falls below ten. • 'Employer' means. • 'Employee' means. • Whether a 'trainee' other than 'apprentice' appointed under Apprentices Act is an 'employee' under this Act ? • Obligation of 'employer' under this Act. • Conditions precedent for payment of 'Gratuity' – Obligations of 'employer' & rights of 'employee'. • Maximum amount of 'Gratuity'. • Method of payment of 'Gratuity' in case of death. • Method of payment for the deceased where there is no nomination or heir. • Prosecution for contravention of the Act, forum for such prosecution and penalties thereof. • Study of case laws.
13.	Industrial Employment (Standing Orders) Act, 1946	<ul style="list-style-type: none"> • An overview with object of the Act. • Applicability of the Act. • Submission of draft standing orders by the employer. • Applicability of 'Model Standing Orders'. • Notifying of standing orders. • Prosecution for contravention of the Act, forum for such prosecution and penalties thereof. • Study of case laws.
14.	Equal Remuneration Act, 1976	<ul style="list-style-type: none"> • An overview with object of the Act. • Applicability of the Act. • Meaning of 'remuneration'. • Meaning of 'same work or work of a similar nature'. • Meaning of 'worker'. • Duty of 'employer' to pay 'equal remuneration' without discrimination.

S.N.	Subject/ Act	Topic
		<ul style="list-style-type: none"> • Obligations of 'employer' under this Act. • Prosecution for contravention of the Act, forum for such prosecution and penalties thereof. • Study of case laws.
15.	Bihar Shops &	<ul style="list-style-type: none"> • Object, ambit & applicability of the Act.

Establishment Act, 1953

- What is the meaning of terms - trade or business, apprentice, child, young persons, closed, day, employee (vis a vis 'worker' under Factories Act), employer, family in respect of an employer, establishment, holiday, leave, opened, period of work, shop/ restaurant/ eating house/ residential hotel/ retail trade/ theater, wages & wage period ?
- Whether this Act is applicable where relationship of the parties is that of a contractor ?
- Whether the Act is applicable to establishments registered under Factories Act ?
- Who are employee under this Act ?
- Whether 'casual worker' not employed but engaged for specific work comes within the purview of 'employee' defined under this Act ?
- What may be considered to be an 'establishment' under this Act ?
- Whether the Act will affect the rights & privileges provided under other laws etc ? (S. 5)
- Understanding general provisions relating to establishments – Registration & Renewal/ Opening & Closing hours/ Hours of work/ Spreading of work in case of child, young person & other employees/ Weekly & other holidays/ Provision of service card/ Daily & weekly hours of work for young persons.
- Can an employer keep a child below the age of 14 in employment ?
- What is the prohibited timing for employment of young person/ woman ?
- What are the general provisions relating to leave & wages ?
- Are the employees covered under this Act entitled to Earned Leave/ Casual Leave/ Sick Leave etc ?
- What is method of calculation for earned leave ?
- Whether an employee is entitled to wages for leave period and method of calculation thereof ?
- What are the obligations of employer under this Act ?
- What are the conditions precedent for discharge / dismissal ?
- When no discharge / dismissal without notice ?
- When compensation is required to be paid for dispensing with service otherwise than a charge of misconduct ?

S.N.	Subject/ Act	Topic
		<ul style="list-style-type: none"> • When & within what period and on what basis an employee can present an application to prescribed authority against dismissal / discharge ? • Whether prescribed authority has power to condone delay in filing complaint ? • What are the powers of prescribed authority to give relief by way of reinstatement or compensation or both ? • Who is prescribed authority ? [1990 (2) PLJR 161] • How proceedings are conducted before the Labour Court under this Act ? • In which court will appeal lie from the order of the Labour Court ? • Can a Labour Court impose punishment on the basis of complaint made u/s 2 by a person aggrieved from employer ? (1983 PLJR 398) • Whether s/26 confers jurisdiction to Labour Court to entertain complaint ? • Whether s/26 will apply to contract worker employed for less than six months ? • Whether finding of Labour Court in an application u/s 26 shall operate as <i>res judicata</i> in a reference made u/s 10 of ID Act ? (1983 PLJR 419) • Whether s/ 20 of CPC is applicable to Labour Court ? (1989 PLJR 650) • Employee has to give notice to employer for termination of his employment. Effect of its non compliance. • Can employer forfeit any unpaid dues if notice for termination of employment is not given by an employee ? If yes, to what extent ? • Powers of Labour Court as regards to claim arising out of deductions from wages or delay in payment of wages. Can a Labour Court order for compensation and up to what extent ? • Power of Labour Court against the employee for his malicious or vexatious claim of wages ? • Forum of appeal against the order of Labour Court u/s 28. • Can a legal practitioner appear for parties ? (S. 28A) • What are the powers of Inspecting Officer ? • Prosecution, limitation period for making complaint, competence of court and penalty. • Whether Workmen Compensation Act/ Maternity Benefits Act 1961 applies to establishment covered under their Act ? • Powers of Govt to make rules. • Prosecution for contravention of the Act, forum for such prosecution and penalties thereof. • Study of case laws.
16.	Miscellaneous	<ul style="list-style-type: none"> • Procedure of adjudication of disputes under labour laws. • Award & order writing. • Provision of appeal from Labour Court. • Court & office management (Personnel & Finance management). Inspection of Court & office. • Official correspondence/ official letter writing/ preparation of statements/ returns/reports.

		<ul style="list-style-type: none">• Time Management/ Leadership/ Dealing with the members of the Bar/Speech Craft/Health Management.• Conducting domestic/ departmental inquiry as Inquiry Officer/ Presenting Officer.• Principles of judicial conduct.
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Curriculum For Railway Magistrate

S.N.	Subject/ Act	Topic
1.	Role of Railway Magistrate in Adjudication of Justice .	A detail study.
2.	The Railway Act 1989	<ul style="list-style-type: none"> • A detail study vis a vis procedure adopted in Criminal Court'. • Place of trial,jurisdiction of magistrate • who will take Cognizance of the offense? • Who will pass an order for search ,seizure and arrest and how it will be regulated? • Bail ,Penalties and offenses under Act • recent amendments and case laws.
3.	The Railway Claims Tribunal Act,1987	<ul style="list-style-type: none"> • Railway claims tribunal-its composition • jurisdiction,power and authority of claims tribunal.
4.	The Railway Property (Unlawful Possession)Act,1966	<ul style="list-style-type: none"> • What means and include railway property? • Inquiries, Search and arrest • cognizance, bail, punishment and penalty for unlawful possession of railway property
5.	Miscellaneous	<ul style="list-style-type: none"> • Overlapping jurisdiction of the court • order and judgment writing. • Victim protection • Court & office management ,Inspection of Court & office. • Official correspondence/ official letter writing/ preparation of statements/ returns/reports. • Principles of judicial conduct.
