

Detailed Module of Foundation Training Programme at Academy & Fields of Newly Recruited Officer from the Bar in the Cadre of the District Judge (Entry Level)

Total Training Period – 3 Months (Seventy two working days)

1. First Phase (23 Working days): Training at Academy on below mentioned important aspects of law, procedure and subject matter.

Core knowledge on Specialized Act relating to Criminal Laws, the Code of Criminal Procedure, 1973, Indian Penal Code, 1860, Information & Computer Technology & Evidence Act.

A. Specialized Act relating to Criminal Laws,

1. The Protection of Children from Sexual Offences Act, 2012 (POCSO).
2. NDPS Act, 1985.
3. Prevention of Corruption Act.
4. Negotiable Instrument Act, 1811.
5. Electricity Act, 2003.
6. SC & ST (Prevention of Atrocities) Act, 1989.
7. Juvenile Justice (Care & Protection of Children) Act, 2015.
8. PC & PNDT Act, 1994.
9. Domestic Violence Act, 2005.
10. Prevention of Cruelty to Animal Act, 1960.
11. Probation of Offenders Act, 1958.
12. Excise Act.

B. The Code of Criminal Procedure, 1973 & Useful Topics

1. Disposal of Petition under Section 227 & 228 of Cr. P.C.
2. Issuance & Service of Summons in Criminal Cases.
3. Jurisdiction of the Criminal Court.
4. Trial in the Court of Sessions Judge.
5. Plea-Bargaining.
6. Framing of Charge.
7. Joint Trials/Segregation of Trials
8. Section 436, 436A, 437, 437A, 438, 439.
9. Summoning Accused under Section 319 of Cr. P.C.
10. Statement under Section 281 & Section 313 of Cr. P.C.

11. Section 311 & Section 205 of Cr. P.C.
12. Relevancy of Statement given u/s 161 of Cr. P.C. & Contradiction u/s 162 of Cr. P.C.
13. Section 320 of Cr. P.C.
14. Section 353 & Section 418 of Cr. P.C.
15. Section 235 of the Cr. P.C.
16. Section 357 & 357A of Cr. P.C.
17. Section 421 & 431 of Cr. P.C.
18. Sentencing.
19. Section 428 of Cr. P.C.
20. Art of Judgment Writing in Sessions Trial Cases.
21. Art of Writing Bail Orders.
22. Art of Writing Orders in Criminal Revision.
23. Departmental Proceedings.
24. Art of Writing Criminal Appeal Judgment.
25. Report of Finger Print Analysis, Foot Print Analysis & Tyre Print Analysis.
26. Recent FSL Techniques: DNA Finger Printing, Narco Analysis, Voice Spectrography
27. Forensic, Ballistic and Scientific Study regarding Nature of Fire Arms, Injury & Wound caused by Fire Arms
28. Ante-Mortem, Post Mortem, Toxicology & Poisoning.
29. Accidental Injuries, Homicidal Injuries, Suicidal Injuries: Nature, Distinction & Features.
30. Criminal Court Rules of the High Court of Judicature at Patna.
31. Important Rulings.

C. Indian Penal Code, 1860

1. Section 299, 300, 302, 304 & 304B of IPC.
2. Section 376, 376A to 376E of IPC.
3. Section 392 & Section 395 of IPC.
4. Section 363, Section 363A, Section 364 & Section 364A of IPC.
5. Section 34, Section 149 & Section 120B of IPC.
6. Section 307 of IPC.
7. Section 511 of IPC,

8. Section 500 of IPC,
9. General Exceptions under IPC.
10. Important Rulings.

D. Information & Computer Technology.

1. E-court — Function & Procedure.
2. Use of Computer & Internet in Judicial Work.
3. Basic knowledge of Ubuntu & CIS (Court Information System).

E. Indian Evidence Act.

1. Fact in Issue & Relevant Facts.
2. Admissibility.
3. Relevancy of Oral & Documentary Evidence.
4. May Presume, Shall Presume & Conclusive Proof.
5. Facts which need not be proved.
6. Confession by Accused & Co-Accused.
7. Confession by Accused while in custody of Police not to be proved against him.
8. Appreciation of Evidence in Civil as well as Criminal Cases.
9. Dying Declaration.
10. Motive, Preparation and Previous or Subsequent Conduct.
11. Opinion as to Handwriting, when relevant.
12. Admissibility of Electronic Records.
13. Presumptions as to Documents.
14. Burden of Proof.
15. Estoppels.
16. Electronic Evidence.
17. Section 91 – Exclusion of Oral Evidence by Documentary Proof.
18. Section 165 – Power of Court to put question.
19. Competence of Witness – Child Witness, Single Witness, Hostile Witness etc.

F. Exercise for Group Discussion, Presentation & Symposium on relevant & burning topics as well as on case laws.

2. **Second Phase (Eighteen working days):** Training in the Court where the officers will be posted.

(The Court where the officer will be attached for training)

A.	District & Sessions Judge	—	Two days
B.	Principal Judge (Family Court)	—	Two days
C.	1 st Addl. Dist. & Sessions Judge	—	Four days
D.	Addl. Dist. & Sessions Judge (Special Court, who is dealing with Sexual Offences Cases)	—	Three days
E.	ADJ (Secretary, Dist. Legal Services Authority)	—	Three days
F.	CJM-cum-Asst. Sessions Judge	—	Four days

Note:- The District Judge will monitor the progress of the training and ensure that the trainee judge must be punctual and sit on the Dias (Ijalas) with trainer judge. The newly appointed trainee will prepare shadow record of one Sessions Trial Case, one Civil Appeal, one Probate Case, one Claim Case, one Criminal Appeal and one Criminal Revision during this phase of training. The shadow record will be deposited in the office of Bihar Judicial Academy, at the end of entire training course, for reference.

3. **Third Phase (Thirteen working days):** Training at Academy on below mentioned important aspects of law, procedure and subject matter.

Core knowledge on Act relating to Civil Laws & Code of Civil Procedure, and topic relating to that.

A. Act relating to Civil Laws

1. Motor Vehicle Act, 1988.
2. Land Acquisition Act.
3. Bihar Building Rent Control Act, 1982.
4. Indian Succession Act, 1925.
5. Legal Services Authority Act, 1987.
6. Specific Relief Act.
7. Transfer of Property Act.
8. Bihar Tenancy Act.

9. Right to Information Act, 2005.
10. Contempt of Court Act, 1971.
11. Muslim Law (Inheritance/Gift/Succession).
12. Hindu Law (Inheritance/Gift/Succession).
13. Financial Rule & Treasury Code.
14. Suit Valuation Act, 1887.
15. Court Fees Act, 1870.
16. Registration Act, 1908.
17. Environmental Law – Air Act, Water Act, Forest Act, Environment Protection Act,
1986.
18. Bihar Panchayati Raj Act.
19. Mental Health Act.
20. Limitation Act.
21. Civil Court Rules of the High Court of Judicature at Patna.

B. Code of Civil Procedure, and topic relating to that

1. Pleadings, Plaint & Written Statement.
2. Various stages of Civil Suits.
3. Issuance & Service of Summons in Civil Cases.
4. Institution of Suit & Jurisdiction of Civil Court Pecuniary as well as area.
5. Cause of Action.
6. Order IX of CPC.
7. Order VI Rule 17 & 18 of CPC
8. Order VII Rule 11 of CPC.
9. Framing of Issues.
10. Order XVII of CPC.
11. Section 89 of CPC r/w Order 10A of CPC.
12. Discovery & Inspection — Order XI of CPC.
13. Interrogatories — Order XI CPC Rule 14 & 15.
14. Stay of suits (Section 10 of CPC).
15. Res Judicata (Section 11 of CPC).
16. Bringing on Record Legal Representatives — Order XXII Rule 4 of CPC.

17. Order XXIII of CPC.
18. Order XX of CPC.
19. Review (Order XLVII of CPC.)
20. Section 94 & 151 of CPC.
21. Order XXXIX Rule 1 & 2 of CPC.
22. Order XLI of CPC.
23. Art of Writing Civil Appeal Judgment.
24. Art of Writing Judgment in Probate Cases.
25. Art of Writing Judgment in Claim Cases.
26. Financial Rule & Treasury Code.
27. Appointment of Survey Knowing Pleader Commissioner & Analysis of the Report.
28. Costs imposed in Civil Suits.
29. Order XXI of CPC.

c) Presentation, Exercise for Group Discussion & Seminar on relevant & burning topics as well as on case laws.

4. Fourth Phase (Eight working days): Training through field visit at the respective stations where the officers are posted.

(The Department/Office, where the officers would be attached for training)

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| 1. | Account Department of District Court | — | One Day |
| 2. | Nazarat of the District Court | — | One Day |
| 3. | Copying Department of District Court | — | One Day |
| 4. | Government Hospital | — | One Day |
| 5. | District Jail | — | One Day |
| 6. | FSL (Patna) | — | One Day |
| 7. | GR Office | — | One Day |
| 8. | Sub Divisional Court's, GR Office,
Account & Nazarat (Note:- Where Sub-Divisional Court is not
in existence then the officers will take training in the nearest
Sub-Divisional Court of another Judgeship & the District Judge
of that Judgeship will arrange training) | | |
| | | — | One Day |

Note: - The District Judge will monitor the progress of the training and ensure and take appropriate step, so that training may be properly imparted.

5. **Fifth Phase (Two working days):** Training at Academy on below mentioned subject matter.

A. Judicial Management

- a. Court Management
 - i) Dealing with Staff, Litigants, Victims, Lawyers, Colleagues, Senior Judicial Officers.
- b. Case Flow Management
- c. Docket Management
- d. Time Management
- e. Stress Management

5. **Sixth Phase (Three days):** Excursion. The Director of the Bihar Judicial Academy may select the place of excursion.

7. **Seventh Phase (Three working days):** Attachment with Hon'ble High Court Judge

8. **Eighth Phase (Two working days):** Reflective & Integrated learning at Academy.

In this Session, practical problem will be discussed to clarify the issue which might be bothering the trainee officers about the job they have to undertake and the function they are going to discharge. That may include Bail matter, Departmental Proceeding, Injunction Matter, Writing Judgment, Writing Order-Sheets etc.

Note: 1. On the direction of Hon'ble High Court, date will be fixed for Inauguration of Foundation Training Programme and the same would be communicated later on, to the trainee judges.

2. On the first day of training at academy, the trainee officer will have to report at 09:00 AM & from 09:30 AM to 09:55 AM, welcome & registration of officers shall take place.

- 3. The training will begin at 10:00 AM and to continue till 05:15 PM. In between 11:50 AM to 12:05 PM, there will be first tea break and lunch break will be from 01:00 PM to 02:15 PM and second tea break will be in between 04:05 PM to 04:20 PM. Each class will be of 55 Minutes.**
- 4. The Trainee Judges will write training report diary in which they will mention their day-to-day academic activities, court activities and field activities relating to their training. The officers will submit training report diary at the Academy on their completion of their three months training.**
- 5. One month training would comprise twenty four working days on an average for computation of one month training. Extra working days if any will be added in the last phase of the training. Vacations and Public Holidays shall be excluded from the academic training as well as Field Training.**
- 6. All the participants will be getting accommodation in the new premises of the Bihar Judicial Academy.**
- 7. During three days training with Hon'ble High Court Judge's, the trainee will avail all the facilities of Academy with respect to lodging and fooding etc.**
- 8. Catering facility will be available to the participants, which will include breakfast, tea/coffee, lunch & dinner etc. during entire Academic training and three days training with Hon'ble High Court Judges without any payment.**
- 9. The participant will maintain dress code, decorum and discipline and they have to follow the guidelines framed by the academy during their stay in the premise of the Academy.**
- 10. The respective District & Sessions Judge, and the Director Bihar Judicial Academy after completion of training will submit satisfactory completion training report or otherwise report to the Chairman, Bihar Judicial Academy for needful.**
- 11. Training may imparted to Trainee Judges on other Topics also as decided by the Director, Bihar Judicial Academy with consent of Hon'ble Chairman, of Bihar Judicial Academy.**
- 12. The Copy of Curriculum which is being used for imparting Training to District Judge Cadre (including District & Sessions Judge, Principal Judge (Family Court) & Addl. District & Sessions Judge (Year 2015) is enclosed for reference and the assistance of same may be taken in imparting training to newly recruited trainee with respect to specific sub topics mentioned therein.**