

## INTRODUCTION TO CIVIL AND CRIMINAL MANUAL (LSEC 0905)

**Credits:** 2 Credits

**Medium of Instruction:** English

**Course Duration:** One Semester

### Course aims:

This curriculum aims to give insights to the students the basic aspects of legal practice being followed by the courts in both civil and criminal litigation. For Civil and Criminal Law there are two categories which are broad and separate entities of law with separate sets of rules to deal with civil wrongs and criminal wrongs respectively. Hence, it is important to understand not only the nature of the division but their litigation part also, because there are fundamental differences in the purpose, procedure and terminology of civil and criminal litigation. The curriculum of this subject is designed to give basic understanding about the actual process of litigation in the court of law on the basis of respective Manuals. Besides this, the paper is intended to make law students with well-informed with not only Physical Court but Virtual Court, and Hybrid Courts also by introducing them to the e-Court filing and VC process.

Mastering civil and criminal manuals is crucial for legal practitioners as it equips them with essential knowledge and skills to navigate the complexities of litigation. This comprehensive understanding not only enhances their legal acumen but also ensures effective advocacy, ultimately contributing to the fair administration of justice.

### Teaching Scheme:

- Lecture method

### Continuous Evaluation Scheme:

**Total internal Marks:** 15 Marks

- Cooperative Teaching,
- Class room presentation,
- Group Discussion
- More focus will be given on hands-on training and practical handling of documents and forms outlined in each module of the Manuals.

### University End Semester

**Examination:** 35 Marks

- As per SPPU, CBCS Syllabus of Law Course

**Remedial Classes:** Yes, as per requirements

### Objectives:

The objectives of teaching this curriculum are multifaceted, aiming to equip students with a foundational understanding of the procedural framework governing the procedural aspects in civil and criminal matters before the court. Firstly, it seeks to familiarize students with the fundamental principles and concepts underlying civil and criminal litigations. Secondly, it aims to develop skills among students by exploring provisions of proceedings under the Civil and Criminal Manuals in civil and criminal litigation thereby, students will be equipped to navigate the complexities of the real judicial practices efficiently.

### Outcomes:

- Students will be acquainted with the commitment to ethical practices and adherence to professional standards as outlined in legal manuals and bar council regulations.
- It will develop among the students a detailed understanding of the hierarchy of courts and judicial procedures.

### Detailed Syllabus

Module	Description
<b>Module 01</b>	<b>Introduction to Civil Manual</b> <ol style="list-style-type: none"> <li>1. Establishment, Lawyers, Lawyer's Fees and Lawyers' Clerks and Judicial Officers</li> <li>2. Preparation and Institution of Suits – Framing of Suit, Pleadings, Complaint, Filing of Documents</li> <li>3. Court Fees and Process Fees, Interim relief – Application, Interim relief order</li> <li>4. Discovery, Inspection, and Interrogatories – Oath and Affidavits</li> </ol>

	<ol style="list-style-type: none"> <li>5. Issue of Process - List of witnesses and summons of witnesses</li> <li>6. Hearing and Trial of Suits – Pre-Trial Stages, Right to Begin, Duties of the Court, Oral Evidence, Examination-in-Chief, Cross-Examination, Re-Examination, Examination on Commission, Adjournment of Hearing</li> <li>7. Judgment, Decree and Execution of Decrees</li> <li>8. Copies and Copying Fees – Appellate Remedies and Procedures</li> </ol>
<b>Module 02</b>	<b>Introduction to Criminal Manual</b> <ol style="list-style-type: none"> <li>1. Criminal Courts and their Powers</li> <li>2. Information to Police, Arrest &amp; Investigation, Framing of Charge</li> <li>3. Evidence in Inquiries and Trials</li> <li>4. Trials by Courts of Session holding of Criminal Sessions</li> <li>5. General Rules as to Inquiries and Trials in all Courts precedence and expeditious Disposal of Capital Cases</li> <li>6. Appeals and Revision Applications of Courts other than the High Court</li> <li>7. Appeals to the High Court and Its Powers of Superintendence</li> <li>8. Execution of Sentences and Orders</li> <li>9. Juvenile Justice: Child and Young Offenders, Probation of Offenders Act; The Maharashtra Vexatious Litigation (Prevention) Rules</li> </ol>
<b>Module 03</b>	<b>Bombay High Court Appellate Side Rules, 1960</b> <ol style="list-style-type: none"> <li>1. Jurisdiction of Single Judges / Benches</li> <li>2. Powers of Registrar</li> <li>3. Presentation and Filing of Appeals</li> <li>4. Appeals under Clause 15 of Letters Patent</li> <li>5. Procedure in Case of Default</li> <li>6. Preparation of Paper Books and Translations, Certified Copies</li> <li>7. Rules for The Issue of Writs or Orders in the Nature of Writs of Habeas Corpus Under Article 226 of The Constitution of India</li> <li>8. Appeals to The Supreme Court</li> </ol>
<b>Module 04</b>	<b>Introduction to the Supreme Court Rules, 2013</b> <ol style="list-style-type: none"> <li>1. Offices of The Court: Sittings and Vacation, Etc., Officers of The Court, Etc.</li> <li>2. Advocates, Business in Chambers</li> <li>3. Constitution of Division Courts and Powers of Single Judge</li> <li>4. Documents, Notices of Motion</li> <li>5. Judgments, Decrees and Orders, Copying</li> <li>6. Petitions Generally, Hearing of Appeals</li> <li>7. Appeals on Certificate by High Court, Criminal Appeals, Special Leave Petitions (Civil and Criminal)</li> </ol>
<b>Module 5</b>	<b>Introduction to E-Courts</b> <ol style="list-style-type: none"> <li>1. e-Filing Rules of the High Court of Bombay, 2022</li> <li>2. Digital Justice Framework</li> <li>3. Distinction: Physical / Virtual / Hybrid Hearings</li> <li>4. Online Registration of Advocates/Litigants</li> <li>5. Drafting and Filing of Digital Pleadings</li> <li>6. PDF Bookmarking &amp; Digital Signatures</li> <li>7. e-Seva Kendras &amp; Designated Counters</li> <li>8. Filing of Documents &amp; Evidence</li> <li>9. Court Point &amp; Remote Point</li> <li>10. High Court of Bombay Rules for Video Conferencing for Courts, 2022</li> <li>11. VC Hearings — Identity, Evidence Recording</li> <li>12. Final Mock VC Session</li> </ol>

	<p><b>Additional Readings:</b></p> <ol style="list-style-type: none"> <li>1. Ratanlal &amp; Dhirajlal's: The Indian Penal Code</li> <li>2. Avtar Singh Law of Contract and Specific Relief</li> <li>3. Dr. S.N. Misra, Dr. S.N. Bhalla Indian Legal System: Civil and Criminal</li> <li>4. Batuk Lal - Law of Evidence</li> <li>5. Kailash Rai Criminal Procedure: Principles, Rules, and Practices</li> <li>6. M.V. Chitale: Chitale's Manual of Indian Evidence Act</li> <li>7. <a href="https://districts.ecourts.gov.in/civil-manual-criminal-manual">https://districts.ecourts.gov.in/civil-manual-criminal-manual</a></li> <li>8. <a href="https://main.sci.gov.in/">https://main.sci.gov.in/</a></li> <li>9. <a href="https://main.sci.gov.in/sites/default/files/Supreme%20Court%20Rules%2C%202013.pdf">https://main.sci.gov.in/sites/default/files/Supreme%20Court%20Rules%2C%202013.pdf</a></li> <li>10. <a href="https://lextechsuite.com/BOMBAY-HIGH-COURT-APPELLATE-SIDE-RULES-1960">https://lextechsuite.com/BOMBAY-HIGH-COURT-APPELLATE-SIDE-RULES-1960</a></li> <li>11. <a href="https://court.mah.nic.in/courtweb/static/ic1.php">https://court.mah.nic.in/courtweb/static/ic1.php</a></li> <li>12. <a href="https://lextechsuite.com/Civil-Manual">https://lextechsuite.com/Civil-Manual</a></li> <li>13. Gupte and Dighe: Civil Manual.</li> <li>14. Civil Procedure Code (CPC) - Basic understanding of the Civil Procedure Code, including its scope, applicability, and key provisions r.w. the articles in Civil Manual</li> <li>15. Mulla: Code of Civil Procedure</li> <li>16. R.V. Kelkar: Code of Criminal Procedure</li> <li>17. <a href="https://court.mah.nic.in/courtweb/static/ic2.php">https://court.mah.nic.in/courtweb/static/ic2.php</a></li> <li>18. <a href="https://lextechsuite.com/Criminal-Manual">https://lextechsuite.com/Criminal-Manual</a></li> <li>19. Gupte and Dighe: Criminal manual.</li> <li>20. The Bombay High Court Appellate Side Rules, 1960</li> <li>21. <a href="http://www.lawbrary.org/2022/01/the-bombay-high-court-appellate-side.html">http://www.lawbrary.org/2022/01/the-bombay-high-court-appellate-side.html</a></li> <li>22. The Supreme Court Rules, 1966</li> <li>23. <a href="https://www.sci.gov.in/supreme-court-rules/">https://www.sci.gov.in/supreme-court-rules/</a></li> <li>24. e-Filing Rules of the High Court of Bombay, 2022</li> <li>11. High Court of Bombay Rules for Video Conferencing for Courts, 2022</li> </ol>
	<p><b>Any other information:</b></p> <ol style="list-style-type: none"> <li>1. The topics, cases and suggested readings given above are not exhaustive.</li> <li>2. Teachers of the Course shall be at liberty to add cases or suggested readings.</li> <li>3. Students are required to study/refer to the legislations as amended from time to time, and consult the latest editions of books on this course.</li> </ol>