

LL B

SEMESTER VI

Clinical Paper

Legal Aid/ Moot Court Practice

FULL MARKS-100

CLASS ROOM INSTRUCTIONS

Advocates Act. 1961

(I) Bar Councils, their constitutions power and function. Sec. 3, 4, 5, 6, 7, 8, 9, 10, 10A, 10B, 15, 48, 48A, 48AA, 48B, 49, 49A

(II) Advocates on a state roll. Sec. 22, 24, 24A, 25, 26, 26A, 27, 28,

(III) Conduct of Advocates. Sec. 35, 36, 36B 37, 38, 39, 40, 41, 42, 42A, 43, 45, 47,

Bar Bench relations and Rules of Courts.

(1) Senior and other Advocate and Right to Practice.

(a) Advocates Act. 1961 Sec. 16, 21, 29, 30, 32, 33, 34.

(b) Rules framed by High Court of Judicature at Ranchi under Advocates Act, 1961 and the Indian Bar Councils Act, 1926.

(II) Advocates in the Supreme Court of India Order IV of the Supreme Court of India Rules, 1966.

(III) Civil Court Rules of the High Court of Judicature at Ranchi.

Preliminary, Chapters I, II, III, IV, V, X, XI of Part I, Chapter I and II of Part III, Chapter I of Part II.

(IV) Criminal Court Rules of the High Court of Judicature at Ranchi.

Preliminary Part I, Part II, Chapter I, II, III of Part III, Chapter I of Part IV.

3. Accountability for Lawyers.

FIELD WORK

PART-A

MOOT COURT EXERCISE

MARKS-30

- Background Research
- Knowing the Jurisdiction
- Applicable Laws
- Others

PART-B

COURT VISIT

MARKS-30

- Attendance of District legal service authority (DLSA), Jharkhand legal service authority (JHALSA) and Lok Adalat.
- Observation of the court proceeding.

PART-C

REPORT

MARKS-30

- Court Diary Report
- Court Diary Assessment

PART D

VIVA

MARKS-10

- Assessment of knowledge on the basis of Fieldwork of student

REPORT DESCRIPTION

Court Dairy

1) Name.....

2) Address.....

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3) LL B/ Semester.....

Session.....

4) Enrollment Number:

5) Name of the Guide/Supervisor:

6) Place of Training:

Signature of the
student with date

Signature of the Guide/
Supervisor with date

Case Index

Sl. No.	Name of Case	Nature of Case	DC / HC	Page No.

Stage of Trials

SL. No.	Nature of Trial	Page No.

Selected Legal Terminology

Report

Participation in Trial Proceedings of DLSA/JHALSA/Lok Adalat

Date.....

Court attended

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Case Number.....

Names of the Parties.

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Nature of the case.....

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Note of Arguments:

Subject matter of the case

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Particulars of the arguments made on behalf of Petitioner/appellant:

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Citation of cases (at least mention three cases with particulars of the parties and subject matter)

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Particulars of the arguments made on behalf of Defendant/Respondent etc.

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COURT DIARY

Assessment

Assignment 1:

REMARKS OF THE CONCERNED FACULTY

Date.....

Signature.....

Assignment 2:

REMARKS OF THE CONCERNED FACULTY

Date.....

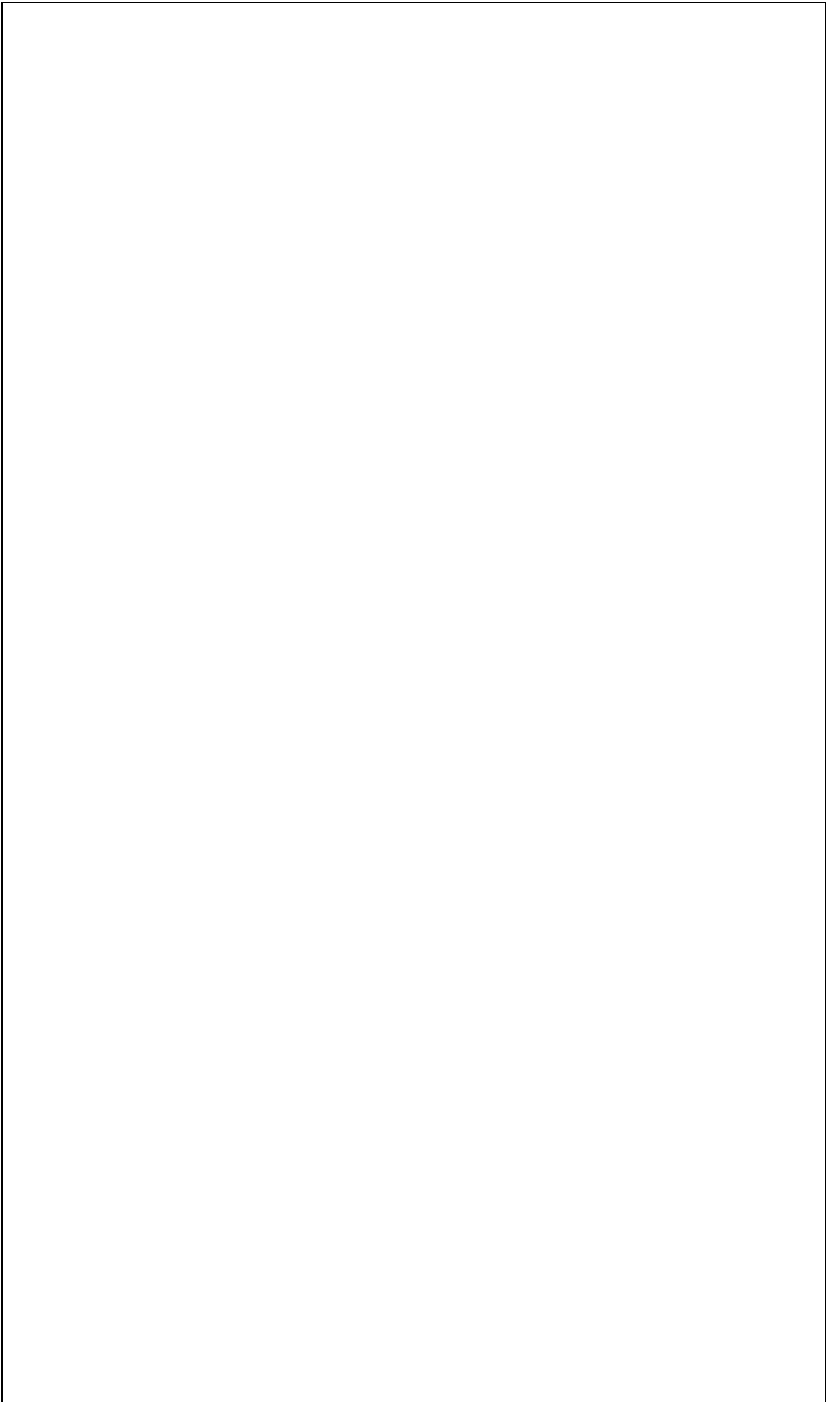
Signature.....

Assignment 3:

REMARKS OF THE CONCERNED FACULTY

Date.....

Signature.....



Assignment 4:

REMARKS OF THE CONCERNED FACULTY

Date.....

Signature.....

CLASSROOM INSTRUCTIONS

I. Acts, Laws & Rules about Lok Adalat and Legal Aid

- Constitution of India - Right to legal aid is a fundamental right

Article 39A of the under article 21 of the Constitution of India. Sec. 309 of Cr P.C. 1973.

Important cases:

- (1) Hussainara v State of Bihar (AIR 1979 SC 1369).
- (2) Khatri v State of Bihar (AIR 1981 SEC 928).
- (3) Haskot v State of Maharastra (AIR 1978 SEC 1548).
- (4) Janardhan Raddy Vrs. Hyderabad (AIR 1951 SG 217)

- Legal Services Authority Act. 1987.
- Different authorities and modes under the Act.
- Class of peoples eligible to get legal aid.

II. Alternative Dispute Resolution Systems

- Mediation,
- Negotiation,
- Conciliation
- Arbitration.

III. Public Interest Litigation.

- Its development and effect on traditional rules.
- Doctrine of *locus standi*.
- Effect on society and executives.
- Misuse
- Recent trend of judiciary in PIL Cases.

Important Case:-

- (i) S.P. Gupta v Union of India. AIR 1982 SC 149, 194 (Scope and basic approach)
- (ii) Ratlam Municipality v Vardi Chand. AIR 1980 SC 1622 (General)
- (iii) Charan Lal Sahu v Union of India, AIR 1990 Supreme Court 1480 (Doctrine of *Parrens Patrinae*)

(iv) Bandhua Mazdoor Case. AIR 1984 SC 802 (Proceeding can be continued even if petitioner withdraws himself from it)

(v) Rudal Sah v State of Bihar AIR 1983 SC 1086 (Compensation to victim).(vi) Olga Tellis v Bombay. Corporation. AIR 1986 SC 180 (Fundamental Rights cannot be waived).

(vii) Saheli v Commissioner of Police. AIR 1990 SC 513 (Compensation for Police atrocities)

(viii) D.C. Wadhwa v State of Bihar. AIR 1987 SC 579 Paragraph 38 (*Locus Standi*)

(ix) Sunil Batra v Delhi Administration in Prisons AIR 1980 SC 1579 (Administration in Prison)

IV. FIELD WORK

- Attending JHALSA, DLSA & Lok Adalat,
- Reporting of cases which students observed in different court rooms.
- Viva-Voce