



# Himachal Pradesh Judicial Academy

**Curzon House, Boileauganj Shimla**

**Revised Curriculum**

**Of**

**Three days Course on "Protection of Women from Domestic Violence Act, Negotiable Instruments Act, Plea Bargaining, Law relating to Child Marriage and Procedural Issues of Trial in Criminal Cases" for the Civil Judges (Senior & Junior Division) from 15.12.2014 to 17.12.2014.**

**Duration** : Three days

**Venue** : Conference Hall, H.P. Judicial Academy, Shimla


Day & Date	Sessions	Topic	Faculty
Monday 15.12.2014	<b>Registration of Participant-Officers.</b>		
	<ul style="list-style-type: none"> <li>➤ <b>Inauguration by: Hon'ble Mr. Justice Rajiv Sharma, Judge, High Court of H.P. (Hon'ble President of H.P. Judicial Academy).</b></li> <li>➤ To be followed by Tea and Refreshment.</li> </ul>		
Monday 15.12.2014	I	<p><b><u>The Protection of Women from Domestic Violence Act, 2005:</u></b></p> <ul style="list-style-type: none"> <li>➤ Constitution of India and Women Empowerment</li> <li>➤ Domestic Violence : A Human Rights Perspective</li> <li>➤ Mandatory and Directory provisions - Powers, Duties and Functions of the Protection Officers and Service Provider under the Act</li> <li>➤ The Protection of Women from Domestic Violence Rules, 2006</li> </ul>	Dr. J.N. Barowalia, District & Sessions Judge (Retired), Shimla
	II	<p><b><u>The Protection of Women from Domestic Violence Act, 2005 – Issues of Law &amp; procedure:</u></b></p> <ul style="list-style-type: none"> <li>➤ Determination of liability &amp; defence available</li> <li>➤ Conduct of trial to determine right under the Act &amp; Consequential relief</li> <li>➤ Relevance of domestic incident reports</li> <li>➤ Procedure for obtaining relief</li> <li>➤ Identifying bottlenecks of the trial and sharing best practices of adjudication to reduce delay</li> <li>➤ Pronouncements of Hon'ble Apex Court and High Courts</li> </ul>	Dr. J.N. Barowalia, District & Sessions Judge (Retired), Shimla
	III	<ul style="list-style-type: none"> <li>➤ Aim, Object and Salient Features of the Prohibition of child Marriage Act, 2006</li> <li>➤ The Prevention of Child Labour</li> <li>➤ Directions of the Hon'ble Supreme Court in Bachpan Bachao Andolan</li> </ul>	Shri B.S. Chauhan, District & Sessions Judge (Retired), Khalini, Shimla

	IV	<b><u>The Negotiable Instruments Act, 1881</u></b> <ul style="list-style-type: none"> <li>➤ Salient features of the Act</li> <li>➤ Identifying bottlenecks of trial and procedure in dealing with complaints u/s 138 of the Act</li> </ul>	Shri Rakesh Kainthla Director, H.P. Judicial Academy, Shimla.
Tuesday 16.12.2014	Special Session	➤ Refresher training in Computer	Faculty of the Academy
	I	<u>Plea Bargaining</u> <ul style="list-style-type: none"> <li>➤ Plea bargaining- concept, application and jurisdictional shift</li> <li>➤ Interpreting law and understanding the procedure</li> <li>➤ Latest amendments in the Code of Criminal Procedure</li> </ul>	Prof. Mrs. Trisha Sharma Director, Law College, APG, University, Shimla.
	II	<u>Procedural Issues of Trial</u> <ul style="list-style-type: none"> <li>➤ Framing of charge and Section 294 of Cr.P.C.</li> <li>➤ Joinder/Misjoinder of charge</li> <li>➤ Committal Proceedings</li> </ul>	Prof. Mrs. Trisha Sharma Director, Law College, APG, University, Shimla.
	III	<u>Procedural Issues of Trial</u> <ul style="list-style-type: none"> <li>➤ Cognizance &amp; Bar to taking cognizance</li> <li>➤ Charge Sheet, final report &amp; protest petition</li> <li>➤ Remand- Understanding the Law &amp; Procedure</li> <li>➤ Recording of Confession Statement u/s 164 Cr.P.C.</li> </ul>	Hon'ble Mr. Justice S.S. Thakur, Retired Judge, H.P. High Court, H.No. 627, Amit Apartments, The Mall, Solan (H.P.)
	IV	<u>Procedural Issues of Trial</u> <ul style="list-style-type: none"> <li>➤ Identification of persons &amp; Property</li> <li>➤ Disposal of property in criminal cases</li> <li>➤ Power to proceed against other persons U/s 319 Cr.P.C.</li> <li>➤ Examination and cross-examination of witnesses</li> </ul>	Hon'ble Mr. Justice S.S. Thakur, Retired Judge, H.P. High Court, H.No. 627, Amit Apartments, The Mall, Solan (H.P.)
Wednesday 17.12.2014	Special Session	➤ Refresher training in Computer	Faculty of the Academy
	I	<ul style="list-style-type: none"> <li>➤ Onus and Burden of Proof in criminal matters</li> <li>➤ Trial in criminal matters</li> <li>➤ Trial of cross cases</li> </ul>	Shri Rakesh Kainthla Director, H.P. Judicial Academy, Shimla.
	II	<b><u>The Negotiable Instruments Act, 1881</u></b> <ul style="list-style-type: none"> <li>➤ Sharing best practices and finding solutions</li> <li>➤ Referral to Lok Adalats</li> <li>➤ Pronouncements of Hon'ble Apex Court and High Courts</li> </ul>	Shri Rakesh Kainthla Director, H.P. Judicial Academy, Shimla.
	III	<ul style="list-style-type: none"> <li>➤ <b>Compounding of offences</b></li> <li>➤ Withdrawal of Criminal Cases</li> <li>➤ Art of writing judgments/ orders in criminal matters</li> </ul>	Hon'ble Mr. Justice V.K. Sharma, Retired Judge, H.P. High Court, Shimla

	IV	<ul style="list-style-type: none"> <li>➤ Group Discussion</li> <li>➤ Valediction</li> </ul>	<b>Hon'ble Mr. Justice Sureshwar Thakur, Judge, High Court of H.P.</b>
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**Timings of training:**

		1 <sup>st</sup> day	2 <sup>nd</sup> and 3 <sup>rd</sup> day		
			<b>Special Session</b>	:	9.00 A.M. to 10.00 A.M.
Registration	:	8.15 A.M. to 8.30 A.M.	First Session	:	10.00 A.M. to 11.15 A.M.
Inauguration	:	8.45 A.M. to 9.45 A.M.	Second Session	:	11.30 A.M. to 1.00 P.M.
First Session	:	10.00 A.M. to 11.15 A.M.	Third Session	:	2.00 P.M. to 3.15 P.M.
Second Session	:	11.30 A.M. to 1.00 P.M.	Fourth Session	:	3.30 P.M. to 4.45 P.M.
Third Session	:	2.00 P.M. to 3.15 P.M.			
Fourth Session	:	3.30 P.M. to 4.45 P.M.	-		-
Tea break	:	First Day: 9.45 A.M. to 10.00 A.M., 11.15 A.M. to 11.30 A.M. & 3.15 P.M. to 3.30 P.M. Second & Third Day: 11.15 A.M. to 11.30 A.M. & 3.15 P.M. to 3.30 P.M.			
Lunch break		1.00 P.M. to 2.00 P.M.			

  
 Course Director  
 (Director)

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