Jiwaji University, Gwalior
LL.B (3YDC) IVth Semester
Paper – Ist Law of crimes – IInd (Criminal Procedure Code,

UNIT – I Introductory

1. The rational of criminal procedure the importance of fair trial
2. The constitutional perspectives Article 14, 20 & 21
3. The organization of police / Prosecutor, defence Counsel, Prison authorities – their duties, Powers & function

Pre-trial Process: Arrest

1. The distinction between cognizable and non cognizable offences: relevance and adequacy problems
2. Steps to ensure accuser’s presence at trial: warrant and summons
3. Arrest with and without warrant (Section 70 – 73 and 41)
4. The absconder status (Section 82, 83, and 85)
5. Right of the arrested person
6. Right to know ground of arrest (Section 50(1), 55, 75)
7. Right to be taken to magistrate without delay (Section 56, 57)
8. Right to not being detained for more than twenty-four hours (section 57), 2.9 Article 22(2) of the constitution of India
9. Right to consult legal practitioner, legal aid and the right to be told of rights to bail
10. Right to be examined by a medical practitioner. (Section 54)

Pre – trial Process: Search and Seizure

1. Search warrant (Section 83, 94, 97, 98) and search without warrant (Section 103)
2. Police search during investigation (Section 165, 166, 153)
3. General principles of search (Section 100)
4. Seizure (Section 102)
5. Constitutional aspects of validity of search and seizure proceedings
Pre-trial Process: F.I.R.

1. F.I.R. (Section 154)
2. Evidentiary value of F.I.R. (See Section 145 and 157 of Evidence Act)

Trial Process

1. Commencement of proceedings: (Section 200,201,202)
2. Dismissal of complaints (Section 203, 204)
3. Bail: concept, purpose: constitutional overtones
4. Bailable and non-bailable offences (Section 436,437,439)
5. Cancellation of bail (Section 437(5))
6. Anticipatory bail (Section 438)
7. Appellate bail powers (Section 389(I), 395(I) 437(5))
8. General principles concerning bond (Section 441-450)

UNIT – III

Fair Trial

1. Conception of fair trial
2. Presumption of innocence
3. Venue of trial
4. Right of the accused to know the accusation (Section 221 – 224)
5. The right must generally be hold in the accused’s presence (Section 221,224)
6. Right of cross – examination and offering evidence in defence: the accused’s statement
7. Right to speedy trial

Charge

1. Framing of charge
2. From and content of charge (Section 211, 212, 216)
3. Separate charge for distinct offence (Section 218,219,220,221,223)
4. Discharge – pre – charge evidence

Preliminary Pleas to Bar the Trial

1. Jurisdiction (Section 26, 177 – 188,461,462,479)
2. Time limitations: rationale and scope (Section 468 – 473)
3. Pleas of autrefois acquit and autrefois convict (Section 300,22D)
4. Issue Estoppel
5. Compounding of offences
Trial before a Court of Sessions: Procedural Steps and Substantive Rights

UNIT – IV

Judgment
1. Form and content (Section 354)
2. Summary trial
3. Post Conviction orders in lieu of punishment: emerging penal policy (Section 360, 361, 31)
4. Compensation and cost (Section 357, 358)
5. Modes of providing judgement (Section 353, 362, 363)

Appeal Review, Revision
1. No appeal in certain cases (section 372, 375, 376)
2. The rational of appeals, review, revision
3. The multiple ranges of appellate remedies
4. Supreme Court of India (Section 374, 379, Article 31 132, 134, 136)
5. High Court (section 374)
6. Session Court (section 374)
7. Special right to appeal (section 380)
8. Government appeal against sentencing (section 377, 378)
9. Judicial power in disposal of appeal (section 368)
10. Legal aid in appeals
11. Revisional jurisdiction (section 397-405)
12. Transfer of cases (section 406, 407)

UNIT – V

Juvenile Delinquency
1. Nature and magnitude of the problem
2. Causes
3. Juvenile court system
4. Treatment and rehabilitation of juvenile offender
5. Juveniles and adult crime
6. Legislative and judicial protection of juvenile offender
Probation
1. Probation of offender's law
2. The judicial attitude
3. Mechanism of probation: standards of probation services
4. Problems and prospects of probation
5. The suspended sentences

Reforms of Criminal Procedure

Selected Bibliography
1. Ratanalal Dhirajlal, Criminal Procedure Code (1999), Universal, Delhi
3. Eastern Lucknow
   Universal
   Universal
6. Chandrasekharan Pillai, ed, Kelkar's outlines of Criminal Procedure (2001),
7. Eastern Lucknow
Jiwaji University, Gwalior
LL.B (3YDC) IVth Semester
Paper – II

UNIT – I
Introduction

1. Definition of the term ‘Jurisprudence’
2. Definition of Law, Kinds of Law
3. Justice & its kinds

UNIT – II
Schools of Jurisprudence

1. Natural law school
2. Analytical school
3. Historical school
4. Sociological school
5. Realistic school

UNIT – III
Source of Law

1. Legislation
2. Precedents: concept of stare deices
3. Customs
4. Juristic Writings

UNIT – IV
Legal Rights: the Concept

1. Rights: meaning and its kinds
2. Duty: meaning and kinds
3. Relation between right and duty
UNIT V

Possession and Ownership: the Concept

1. Kinds of possession
2. Kinds of ownership
3. Difference between possession and ownership
4. Concept of Property
5. Title

Liability

1. Condition for imposing liability
2. Strict liability
3. Vicarious liability

Obligations:

1. Nature and kind

Selected Bibliography

3. W. Friedmann, Legal Theory (19999) Universal, Delhi
4. V.D. Mahajan, Jurisprudence and Legal Theory (1996reprint), Eastern Lucknow
UNIT – I
Concept of Environment and Pollution
1. Environment, Meaning and concept
2. Pollution – Meaning, Effects of pollution and its kind
3. Water, Air Pollution Act
4. Indian Tradition & Industrial development
5. Environment Protection Act, 1988

UNIT – II
International Historical Perspective
1. Stockholm conference
2. Rio conference
3. U.N. deceleration on right to development
4. Green House effect & Ozone Depletion

UNIT - III
Constitutional Provisions related to Environment
1. Constitution making – development and property oriented approach
2. Directive principles, (Status, role and interrelationship with fundamental rights and fundamental duties)
3. Fundamental Duty
4. Judicial approach
5. Fundamental Rights (Rights to clean and healthy environment, Environmental Vs Development)
6. Enforcing agencies and remedies (Courts, Tribunal, Consrirmrioal, Statutory and judicial remedies)
7. Emerging principles (Polluter pays public liability insurance. Precantipry Principles)
8. Sustainable development

UNIT – IV
Environment Protection Measures Vis a Vis Environment Pollution
1. Protection agencies power and functions
2. Protection : means and sanctions
3. Emerging protection through delegated legislation
4. Hazardous waste and Bio-medical waste
5. Judiciary: Complex problems in administration of environment justice

UNIT – V
A Forest and wild Life Protection

1. Greenery conservation laws
2. Forest conservation
3. Conservation agencies
4. Prior approval and non – forest purpose
5. Symbiotic relationship and tribal people
6. Denudation of forest: judicial approach
7. Wild life
8. Sanctuaries and national parks
9. Licensing of zoos and parks
10. State monopoly in the sale of wild life and wild life article
11. Offences against wild life

B. Bio – Diversity

1. Legal control
2. Control of eco-unfriendly experimentation on animal, plants, seeds and microorganism

Selected bibliography

5. Christopher D. stone, should Trees Have Standing and other Essays on law, Moral and Environment (1996), Oceana
6. Leelakrishnan, P. et al. (eds.) Law and Environment (1990), Eastern Lucknow
7. Leelakrishnan, P. The Environment Law in India (1999), Butterworths India
Jiwaji University, Gwalior
LL.B (3YDC) IVth Semester
Paper – IVth  Criminology and Penology

Note:- This Paper shall be of 100marks. Candidates are required to attempt five question on ten.

Contents:-
(I)


(IV) Police and the Criminal Justice:- The Police System in India, Organization of Police, P and duties of Police, The role of Police, Functions of Police in Crime Prevention, Custm violence and liability of Police, Corruption in Police.

Punishment of Offenders:- Modes of Punishment, Capital Punishment, The Prison System reforms in Prison Open Prisons Prison labour,

(V)
Theories of Punishment.

Juvenile delinquency and Juvenile Courts.
Jiwaji University, Gwalior
LL.B (3YDC) IVth Semester
Paper – Vth Alternate Dispute Resolution (Clinical Course)

UNIT-I

1. Arbitration: meaning, scope and types
2. Arbitration Agreement- Essentials, Kinds
3. Who can enter into arbitration agreement?
4. Validity
5. Reference to arbitration
6. Interim measures by court

UNIT-II

1. Arbitration Tribunal, Appointment, Jurisdiction of arbitral tribunal, Grounds of challenge, Powers, Procedure, Court assistance
2. Award, Rules of guidance, Form and content, Correction and interpretation
3. Grounds of setting aside an award- Want of proper notice and hearing, Contravention of composition and procedure
4. Impartiality of the arbitrator
5. Bar of limitations, res judicata
6. Consent of parties
7. Enforcement

UNIT-III

1. Appeal and revision
2. Enforcement of foreign awards, New York convention Award, Geneva Convention Awards

UNIT-IV

Conciliation

1. Distinction between “conciliation”, “negotiation”, “meditation”, and “arbitration”,
2. Appointment of conciliator
3. Interaction between conciliator and parties
4. Communication, disclosure and confidentiality
5. Suggestions by parties
6. Resort to judicial proceedings, legal effect
7. Costs and deposit repeal

UNIT-V

Rule making Power:-

Legal Services Authorities Act
Lok Adalat
Legal camp

Books Recommended

1. Avtar Singh
2. Goyal
3. अवतार सिंह
3. Shukla
4. Jhabvala : Arbitration and Conciliation
 : Arbitration and Conciliation Act
 : माध्यमिक एवं सुलह अभियंता
 : Legal remedies
 : Law of Arbitration and Conciliation