

LL.B (3YDC) IVth Semester

Paper – Ist Law of crimes – IInd (Criminal Procedure Code,)

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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(I), 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)

Per – trail 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

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**UNIT – II**

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**Per- trail Process: Fir**

- 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. Form 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**

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**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**

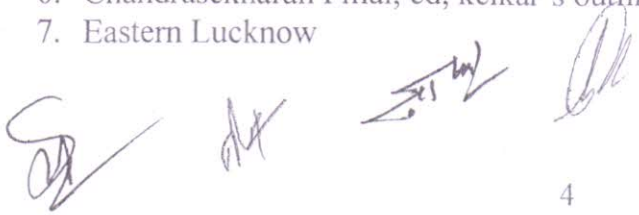
**Probation**

1. Probation of offender's law
2. The judicial attitude
3. Mechanism of probation : standards of probation services
4. Problems and prospects of proation
5. The suspended sentences

**Reforms of Criminal Procedure**

**Selected Bibliography**

1. Ratanalal Dhirajlal, Criminal Procedure Code (1999), Universal, Delhi
2. Chandrasekharan Pillai, ed., Kelkar Lectures on Criminal Procedure (1998)
3. Eastern Lucknow
4. Principle's commentaries on the Code of Criminal Procedure, 2Vol. (2000) Universal
5. Woodroffe: Commentaries on Code of Criminal Procedure, 2. Vol. (2000) Universal
6. Chandrasekharan Pillai, ed, kelkar's outlines of Criminal Procedure (2001),
7. Eastern Lucknow



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LL.B (3YDC) IVth Semester

Paper – IInd Jurisprudence

**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

**Personality**

1. Nature of personality
2. Status of the unborn, minor, lunatic, drunken and dead persons

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3. Corporate Personality
4. Dimension of the modern legal personality of beings

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**

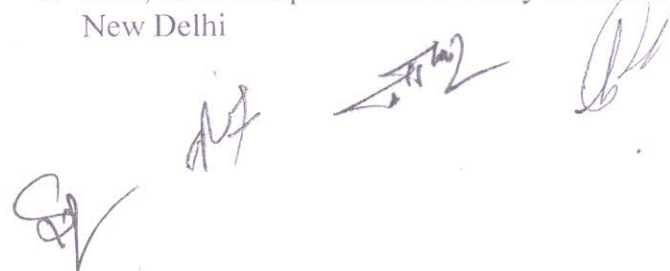
1. Condition for imposing liability
2. Strict liability
3. Vicarious liability

**Obligations:**

1. Nature and kind

**Selected Bibliography**

1. Bodenheimer Jurisprudence – The Philosophy and Method of law (1996), Universal, Delhi
2. Fitzgerald, (ed) Salmond on Jurisprudence (1999) Tripathi, Bombay
3. W. Friedmann, Legal Theory (1999) Universal, Delhi
4. V.D. Mahajan, Jurisprudence and Legal Theory (1996reprint), Eastern Lucknow
5. M.D.A. Freeman (ed.), Lloyd's introduction to Jurisprudence, (1994). Sweet and Maxwell
6. Paton G.W. Jurisprudence (1972) Oxford, ELBS
7. H.L.A. Hart, The concepts of Law (1970) Oxford, ELBS
8. Roscoe pond, Introduction to the philosophy of law (1998reprint) Universal Delhi
9. Dias, S.N. Jurisprudence: A Study of Indian Legal Theory (1985) Metropolatin, New Delhi



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Paper – IIIrd Environmental Laws

**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, Consrimrional, 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

