



# **B.A. LL.B. (5 YEAR) COURSE**

**SYLLABUS AT A GLANCE**

## **Semester - VI**

### **Semester VI**

Law of Crimes Paper II 04 100  
(Criminal Procedure Code)

Labour and Industrial Law I 04 100

Interpretation of Statutes and  
Principles of Legislation 04 100

Environmental Law 04 100

**SEMESTER VI**  
**LAW OF CRIMES – II**  
**(Criminal Procedure Code)**

**OBJECTIVE OF THE COURSE :** The world of offences is now familiar to the students. However to punish for the offence committed, there is a process which will be taught in this module.

Marks – 100 (Written – 80 + Project – 20)

Credit : 04

**MODULE – I:** Object Purpose and History of the Criminal Procedure Code

**MODULE – II:** Definitions – Section 2

**MODULE – III:** Constitution and Powers of Criminal and Executive Courts – Section 6 to 35

**MODULE – IV:** Arrest of Persons- Section 41 to 60

**MODULE – V:** Process to Compel Appearance and Production of Things and Reciprocal Arrangements Sections 61 to 105L

**MODULE – VI:** Preventive and Precautionary Measures of Security Proceedings Section 106 to 124, Section 129 to 153.

**MODULE – VII:** Maintenance of Wives, Children and Parents – Section 125 to 128

**MODULE – VIII:** Information to the Police and their Powers to Investigate – Section 154 to 176

**MODULE – IX:** Jurisdiction of the Criminal Courts in Inquiries and Trials-Section 177 to 189.

**MODULE – X:** Cognizance of Offences and Commencement of Judicial Proceedings – Sections 190 to 210

**MODULE – XI:** Charge – Section 211 to 224

**MODULE – XII:** Trial before various Courts

Court of Sessions-Section 225 to 237

Warrant Cases by Magistrates-Sections 238 to 250

Summons cases by Magistrates- Section 251 to 259

Summary Trial-Section 260 to 265

**MODULE – XIII:** Mode of Taking Evidence and General Provisions as to Inquiries and Trials- Section 266 to 352

**MODULE – XIV:** Judgement – Sections 353 to 365

**MODULE – XV:** Appeals-Sections 372 to 394

**MODULE – XVI:** Reference and Revision-Section 395 to 405

**MODULE – XVII:** Provisions as to Bills and Bonds – Section 436 to 450

**MODULE – XVIII:** Irregular Proceedings-Section 460 to 466

**MODULE – XIX:** Limitation for taking cognizance –Sections 467 to 473

**MODULE – XX:** Probation of Offenders Act, 1958- Sections 1 to 19. **MODULE – XXI:** Juvenile Justice (Care and Protection of children) Act, 2000 – Sections 1 to 70

**\*\*\*\*\* Students are expected to read current case laws. Only the current enactments and enactments as amended up to date will be taught.**

**RECOMMENDED READINGS :**

**\*\*\*\*\*** Only current editions are to be read.

1. R.V.Kelkar's Criminal Procedure
2. Ratanlal and Dhirajlal-Criminal Procedure
3. Mishra-Code of Criminal Procedure
4. B.B.Mitra-Code of Criminal Procedure
5. Sarkar's Code of Criminal Procedure

## **LABOUR & INDUSTRIAL LAW- I**

**OBJECTIVE OF THE COURSE:** Economy of a country is dependant on its industry and agriculture. One of the most important factors of both agricultural and industrial production is labour. In this module the students will be introduced to these factors.

Marks – 100 (Written – 80 + Project – 20)

Credit : 04

### **MODULE – I: Industrial Disputes Act, 1947**

Object and Reason; Definitions; Authority under the Act; Strike; Lock- out ; Public utility service; Lay off; Retrenchment and Closure in certain Establishments; Unfair Labour Practice.

### **MODULE – II: Workmen’s Compensation Act, 1923**

Object and reason- definitions; Employer’s liability for compensation; Determination of quantum of compensation; Distribution of Compensation; Indemnity and Benefits of employers.

### **MODULE – III: Factories Act, 1948**

Object and Reason; definition; Health-Safety and Welfare measurer; Employment of young person’s ; Working hours of adult.

### **MODULE – IV : Maternity Benefit Act, 1961**

Object and Reason; Definitions ; Right to payment of Maternity Benefit ; Payment of Maternity Benefit in certain cases ; Maximum period of entitlement ; Prohibition of pregnant employment; Benefit in certain cases ; Payment in case of death ; Leave – miscarriage ; Dismissal during absence due to pregnancy ; Inspector – Penalties .

**\*\*\*\*\* Students are expected to read current case laws. Only the current enactments and enactments as a amended up to date will be taught.**

### **RECOMMENDED READINGS :**

**\*\*\*\*\*** Only current editions are to be read.

1. K.D. Srivastava – The Industrial Disputes Act.

2. S.N. Mishra – Labour and Industrial Laws
3. Indian Law Institute – Labour Law and Labour Relations
4. O.P. Mishra- the Law of Industrial Disputes
5. V.V. Giri – Labour Problems in Indian Industry
6. S.C. Srivastava – Social Security and Labour Laws
7. S.K. Puri – Labour and Industrial Law
8. R. Dayal – Labour and Industrial Law

### **INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION**

**OBJECTIVE OF THE COURSE:** Legislation is a major source of Law. Legislators create law after much deliberation. This process takes into account the present and future need of the nation. Interpretation of statute is a method by which the judiciary explores the intention of the legislators behind the statute. This involves a method which will be taught in this module.

Marks – 100 (Written – 80 + Project – 20)

Credit : 04

**MODULE – I: PRINCIPLES OF LEGISLATION-** Law making {legislature, executive, Judiciary}- Principles of utility.

**MODULE – II: INTERPRETATION OF STATUTE –** Meaning of the term Statute- Component, operation and repeal-Internal Aids to interpretation [Title, Preamble, Headings & Marginal notes, Sections & Subsections, Punctuations, Illustrations, Exceptions, proviso & saving clauses, Schedules, Non Obstante clause]-External Aids to interpretation [ Dictionery, Translation Travaux Preparatoires, Statutes in pari material, Contemporanea Exposito, Debates, Reports]

**MODULE – III: RULES OF STATUTORY INTERPRETATION-** Primary Rules [ Literal rule, Golden rule, Mischief rule, harmonies Construction] Secondary Rules [ Noscitur a sociis, ejusdem generic, Reddendo singular singularis ].

**MODULE – IV: PRESUMPTION IN STATUTORY INTERPRETATION-** Statues are valid-Statutes are territorial in operation-Presumption as to jurisdiction-presumption against the inconvenient and absurd – Presumption against intended injustice – Presumption against impairing obligations or permitting advantage from one's own wrong –Prospective operation of statutes.

**MODULE – V: MAXIMS OF STATUTORY INTERPRETATION**

1. Delegatus non potest delegare
2. Expression unius exclusion alterius
3. Generallis specialibus non derogant
4. In pari delicto potior est condition possidentis
5. Utres valet potior quam pariat
6. Expressum facit cessare tacitum
7. In bonam partem

#### **MODULE – VI: INTERPRETATION WITH REFERENCE TO SUBJECT MATTER AND PURPOSE**

Restrictive and beneficial construction  
Taxing statutes  
Penal Statues  
Welfare Legislations  
Substantive and adjunctival Statute  
Discretionary and mandatory provisions  
Enabling statutes  
Codifying and Consolidating statute  
Right conferring statute  
Power conferring statute

#### **MODULE – VII: PRINCIPLES OF CONTITUTIONAL INTERPRETATION**

Doctrine of Pith and Substance  
Doctrine of Colourable Legislation  
Doctrine of Residuary Power  
Doctrine of Repugnancy  
Doctrine of Ancillary Powers  
“Occupied Field”

**\*\*\*\*\* Students are expected to read current case laws. Only the current enactments and enactments as a amended up to date will be taught.**

**RECOMMENDED READINGS:**

\*\*\*\*\* Only current editions are to be read.

G.P. Singh, Principles of Statutory Interpretation, Wadhwa & Co.

P. St. Langan (Ed), Maxwell on Interpretation of Statute, N.M. Tripathy

K.Shanmukham, N.S. Bindras, Interpretation of Statue, The Law Book Co.

V. Sarathi, Interpretation of Statue, Eastern Law Book Co.

M.P. Singh (Ed), V.N. Shukla's Constitution of India, Eastern Law Book Co.

M.P. Jain, Constitution Law of India, Wadhwa & Co.

**ENVIRONMENTAL LAW**

**OBJECTIVE OF THE COURSE:** The Environment in which we live is in danger. In this module the students will learn the laws which are enacted to protect and preserve the environment.

Marks – 100 (Written – 80 + Project – 20)

Credit : 04

**MODULE – I: CONCEPT OF ENVIRONMENT AND ITS IMPORTANT – POLLUTION AND HEALTH HAZARD**

**MODULE – II: NATIONAL POICY OF ENVIRONMENT**

**MODULE – III: COMMON LAW PERSPECTIVE**

**MODULE – IV: CONSTITUTIONAL LAW PERSPECTIVE**

**MODULE – V: SUSTAINABLE DEVELOPMENT- PRECAUTIONARY PRINCIPLE – POLLUTER PAY PRINCIPLE – PUBLIC TRUST DOTRINE**

**MODULE – VI: PRINCIPLE OF LIABILITY AND PUBLIC LIABILITY INSURANCE**

**MODULE – VII: THE ENVIRONMENT (PROTECTION) ACT, 1986- PREAMBLE – DEFINITION – GENERAL POWERS OF CENTRAL GOVERNMENT – PREVENTION, CONTROL AND ABATEMENT OF ENVIRONMENT POLLUTION**

**MODULE – VIII: PREVENTION AND CONTROL OF AIR POLLUTION**

**MODULE – IX: PREVENTION AND CONTROL OF WATER POLLUTION**

**MODULE – X: WILD LIFE PROTECTION**

**MODULE – XI: FOREST CONSERVATION**

**\*\*\*\*\* Students are expected to read current case laws. Only the current enactments and enactments as amended up to date will be taught.**

**RECOMMENDED READINGS :**

\*\*\*\*\* Only current editions are to be read.

THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981

THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT 1974

THE WILD LIFE (PROTECTION) ACT 1972

THE FOREST ( CONSERVATION) ACT 1980

Tiwari. A.K.- Environmental Laws in India

Leelakrishnan. P- Environmental Law in India

Khan. Dr. I.A.- Environmental Law

Divan Shyam & Rosencranz Armin- Environmental Law and Policy in India

Shastri. S.C.- Environmental Law

Tiwari. Dr. H.N- Environmental Law

Jaswal P.S- Environmental Law

**NOTE:** Students will have to put in four weeks of internship compulsorily in Semesters VI, VII, VIII, IX, X , and obtain a certificate of internship without which the Bar Council may not enroll them. The students must maintain diary. They will be evaluated in the **X Semester along with Moot Court Exercise and Internship Practical Paper.** The internship should be in the following Institutions or Organizations:

1. NGO
2. Trial and Appellate Advocates { compulsory }
3. Judiciary
4. Legal Regulatory Authorities
5. Legislatures and Parliament
6. Market Institutions
7. Law Firms
8. Companies
9. Local Self –Government
10. Other Legal Functionaries
11. Any other body approved by the College.