**Semester – III**

**Jurisprudence (Paper – I Code: 401)**

**M. Marks: 80**

**Unit – I**

Definition: Nature and province/scope of Jurisprudence

Definition and Concept of Law

Sources of Law

Relation of Law and morality

Law and Administration of Justice

**Unit – II**

Natural Law – its Development and relevance in modern times

Analytical School of Law

Austin's Theory of Law

Kelsen's Pure Theory of Law

Hart's Concept of Law

**Unit – III**

Sociological School of Law

Realistic School

Socio-Economic and legal philosophy

Poverty jurisprudence and legal Aid

Public interest Litigation

**Unit – IV**

Elements of Law and Jurisprudence

Legal Rights and Duties

Ownership and possession

Concept of Person and Nature of Legal personality

Concept of Property, Obligation and Liability

**Environmental Law (Paper – II, Code: 402)**

**M. Marks: 80**

**Unit – I**

1. Meaning and Definition of environment, environmental pollution, factors responsible for environmental pollution. Provisions of following general laws for protecting environment in general;
   1. Constitution of India
   2. Indian Penal Code
   3. Criminal Procedure Code
   4. The Factories Act, 1948
2. Noise – its definition, sources and its harmful effect. Remedies for noise pollution.
3. The water (Prevention & Control of Pollution) Act, 1974

Leading Cases:

1. Ratlam Municipality Vs. Virdhi Chand & others AIR 1980 SC 1622
2. M.C. Mehta Vs. Union of India (The Gang Pollution Case), AIR 1988 SC 115

**Unit – II**

The Air (Prevention & Control of Pollutional) Act, 1981, The Environmental (Protection Act, 1986)

**Unit – III**

Role of Public Interest Litigation in: Protection of Environment, Role of Judiciary in protection of Environment: Rural Litigation Kendra, Dehradun Vs. State of U.P., AIR 1987, SC 305. The National Environment Tribunals Act, 1995

**Unit – IV**

The Doctrine of Absolute Liability Case: M.C. Mehta Vs. Union of India (SFFI case) AIR 1987 SC 1965, The Public Liability Insurance Act, 1991

**Criminal Procedure Code, 1973 – 1 (Paper – III, Code 403)**

**M. Marks: 80**

**Unit – I**

Definition – Sections 2 to 5, Constitution of Criminal Courts and Officers (Section 6-25), Power of Courts (Section 26-35), Power of Superior Officers of Police (Section -36), Arrest of Persons (Section 41-60), Process of compel appearance and production of things (Section 62-103), Search and Seizure Section (91-102), Difference between Summons and Warrant, Difference between Bailable and non-bailable offence, Difference between compoundable offences.

**Unit – II**

Provisions as to Bail and Bonds (Section 436-450), Order for maintenance of wives, children and parents section 125-128), Information to the Police and their powers to Investigate Section 154-176), Jurisdiction of Criminal Courts in Inquires and Trial Section (177-189), Complaints to Magistrate and commencement of Proceedings before Magistrate (Section 200-210).

**Unit – III**

Jurisdiction of Criminal Courts in Inquiries and Trials Section (177-189), Cognizance offences by the Magistrate, (Sections 190 to 199) Complaints to Magistrates, Preliminary Examination of Complainant and the witness by the Magistrate, Police Inquiry, Dismissal of Complaint, Issuing of Summons and Warrants to the accused (Sections 200 to 204) Recording of Pre-charge Evidence of Complainant, (Section 244) Discharge of the accused (Section 245) Framing of the Charge, Explaining the charge of the accused, Conviction on plea of guilty, Post Charge Evidence of Complainant (Section 246) Recording of the statement of accused, (Section 313) Evidence for the Defense (Section 247) Arguments and Judgement of Acquittal or Conviction. (Section 248) Discharge of the accused where the complainant absent (Section 249)

**Unit – IV**

Power to dispense with the attendance of the accused, Special summons in case of Petty offences, Supply of the copies of the statements and documents to the accused, Commitment of the case of the Court of Session, etc. (Section 205-210) Form and Contents of Charge, (Sections 2011 to 214) Effect of Errors in framing of the Charge (Section 215) Alteration of Charge and procedure after alteration (Sections 216, 217) Separate Charge for Distinct offence (Section 218) Exceptions to the general rule, Joinder of offences, Joinder of Pesons, Plea Bargaining (Sections 265A to 265L) Compounding of offences (Sections 320) Withdrawal from Prosecution (Section 321) Pardon to Accomplice (Sections 306 & 307).

Leading Cases:

1. Gurbaksh Singh Sibia Vs. State of Punjab AIR 1980 SC 1632.
2. D.K. Basu Vs. State of West Bengal (1997) 6 SSC 642.
3. Mohd. Ahmed Khan Vs. Shah Banu Begum, 1985, Cr. L.J. 875 SC
4. Naayandas Bhagwandas Madhavdas Vs. Stage of West Bengal AIR 1959 SC 1118
5. Banwari Lal Vs. Union of India.

**Administrative Law (Paper – IV, Code: 404)**

**M. Marks: 80**

Unit – I

Introductory – Nature and Scope of Administrative Law, Rule of Law, Doctrine of Separation of powers

Delegated Legislation: Necessity, Scope, Legal forms, Reasons for growth and Constitutional limits of Delegated Legislation, Judicial, Parliamentary and other Controls over delegated legislation, Sub Delegation.

Unit – II

The Concept of Natural Justice: The Rule against Bias-Personal bias, Pecuniary bias, Institutional bias, Test of Bias, Exceptions to the Rule, Right of Fair Hearing – applicability, general contents of fair hearing, exceptions to the Rule, Exclusion of Judicial Review, Reasoned Decision, The Doctrine of Legitimate Exception, The Doctrine of Proportionality, Fair Hearing in Service matters, Relationship between Reasonableness and proportionality.

**Unit - III**

Discretionary powers – failure to exercise a discretionary power, Prevention of Abuse of Discretion-Scope of Wednes bury principle, Reason for growth of Administrative Tribunals, Judicial Control over Administrative Tribunals, Judicial Review of Administrative Actions Through Writs, Writ of Habeas Corpus, Writ of mandamus, Writ of Prohibition, Writ of Certiorari, Writ of quo warranto, High Court Powers of Superintendent

**Unit – IV**

Liability of the State and Public Authorities in Tort, Misfeasance in public office, Contractual liability of the State Promissory Estoppel, Government Privileges in Legal proceedings, Public Undertakings: Types, Control (Parliamentary Judicial & Governmental), Ombudsman – Lokpal and Lokayukta, Central vigilance commission, Powers of Investigation and Enquiry.

Leading Case:

1. Maneka Gandhi Vs. Union of India, AIR 1978 SC 597
2. S.P. Gupta Vs. Union of India, AIR 1982 SC 149
3. Union of India Vs. Cynamide India Ltd. AIR 1987 SC 1802
4. Sukhdev Singh Vs. Bhagat Ram, AIR 1975 SC 1331

**Human Rights & International Law (Paper – V, Code: 405)**

**M. Marks: 80**

**Unit – I**

Definition: Nature and Sanctions of International Law, Relationship between International Law and Municipal Law , Sources and subjects of International Law including position of individual.

**Unit – II**

State Territory, State Jurisdiction, Recognition of States and Governments, Acquisition and loss of State Territory, State Succession, Extradition, Asylum, Settlement of Disputes.

**Unit – III**

Nature, Definition and Effects of War, Belligerent Occupation, War Crimes, Contraband, Blockade, Prize Counts, Enemy Character, Rules of Warefare.

**Unit – IV**

Human Rights: Concept of Human Rights, Provisions of U.N. Charter relating to Human Rights, Universal Delimitation of Human Rights, 1948 and its legal significance, Covenant on Civil and Political Rights, 1966 and Covenant on Economic, Social and Cultural Rights, National Commission on Human Rights.

**Leading Cases:**

1. Daimler Co. Ltd. Vs. Continented Tyre and Rubber Co. Ltd (1916) 2 AC 307
2. Zambra Case (1916) 2 AC 77
3. Columbian Preuvian Asylum Case ICJ Report (1951) 71
4. Haile Selassi Vs. Cable and Wireless Co. Ltd. (1939) CH12