

**NAME OF SUBJECT: LAW OF CRIME-PAPER- I: PENAL CODE**

**PAPER CODE: Law- 501**

**MAXIMUM MARKS: 30+70=100**

**TIME ALLOWED: 3 HRS.**

**INTERNAL ASSESSMENT: 30 MARKS**

**TERM-END EXAMINATION: 70 MARKS**

**OBJECTIVE:** Criminal Law maintains law and order in the society and to protect the life and liberty of people. Common men rely on this for protection against all injuries that human conduct can inflict on individuals and institutions. Therefore, penal code cannot afford to be weak, ambiguous and ineffective. Application of criminal law has to be uniform regardless of any discrimination on grounds of class, caste, religion, sex or creed etc. of either criminal or victim. Crime and Punishment has been the one of the most important task of rule of law of the State. This course is designed with a prime object to familiarize students with the principles of criminal liability and other concepts of substantive criminal law.

**MODULE-I: Punishment Theories**

Deterrent, Retributive, Preventive, Expiatory and Reformatory Theory  
Punishment under the IPC: Fine, Life-Imprisonment, Death Sentence

**MODULE -II: Introduction to Substantive Criminal Law**

Extent and operation of the Indian Penal Code

Definition of crime

Fundamental elements of crime

Stage of a crime; Intention, Preparation, Attempt, Commission (i) Essentials of the attempt, impossible attempt, attempt and preparation distinguished

**MODULE -III: General Explanations and Exceptions (Sec.76-106)**

(i) Definition (ii) Constructive joint liability (iii) Mistake (iv) Judicial and Executive acts (v) Accident (vi) Necessity (vii) Infancy (viii) Insanity (ix) Intoxication (x) Consent (xi) Good faith (xii) Private defense

**MODULE -IV: Abetment and Criminal Conspiracy (Sec.107 to 114; Sec 120-A, B)**

**MODULE-V: Offences affecting the Human Body**

offences affecting life, causing of miscarriage or injuries to unborn children offences of hurt, of wrongful restraint and wrongful confinement offences of Criminal Force and Assault, offences of kidnapping and abduction

**MODULE -VII: Offences against Property**

Theft, Extortion, Robbery and Dacoit Criminal misappropriation and Criminal breach of

trust, Cheating, Mischief Criminal trespass Defamation, Forgery, Counterfeiting

**MODULE-VIII: offences relating to documents, property and Marriage**  
Counterfeiting, Criminal intimidation, making false documents, Bigamy, Adultery  
and Cruelty

**ACT**

The Indian Penal Code 1860

**SUGGESTED READINGS**

1. Pillai, PSA, Criminal Law
2. Jeroma Hall, Principles of Criminal Law
3. R.C.Nigam, Criminal Law
4. Ratan Lal & Dhiraj Law, Indian Penal Code
5. K.D.Gaur, Criminal Law cases and materials Iminology

**NAME OF SUBJECT: LABOUR AND INDUSTRIAL LAW-I**

**PAPER CODE: Law- 502**

**MAXIMUM MARKS: 30+70=100**

**TIME ALLOWED: 3 HRS.**

**INTERNAL ASSESSMENT: 30 MARKS**

**TERM-END EXAMINATION: 70 MARKS**

**OBJECTIVE:** This course on Labour and industrial law aims at delineating the aspect of management of labour relations and dispute settlement bodies and techniques.

**UNIT-1: TRADE UNIONS ACT, 1926**

- a) Trade unionism in India
- b) Definition of trade union and trade dispute
- c) Registration of trade unions
  - 1) Legal status of registered trade unions
  - 2) Mode of registration
  - 3) Powers and duties of registrar
  - 4) Cancellation and dissolution of trade union
  - 5) Procedure for change of name
  - 6) Amalgamation and dissolution of trade union
- d) Legal status of registered trade union
- e) Disqualifications of office- bearers, rights and duties of office- bearers and members
- f) General and political funds of trade union
- g) Civil and criminal immunities of registered trade union
- h) Recognition of trade union
- i) Collective bargaining.

**UNIT –II: THE INDUSTRIAL DISPUTE ACT, 1947**

**RESOLUTION OF INDUSTRIAL DISPUTE**

- a) Industrial dispute and individual dispute
- b) Arena of interaction and participants- Industry, workman and employer
- c) Settlement of industrial dispute
  - 1) Works committee
  - 2) Conciliation machinery
  - 3) Court of enquiry
  - 4) Voluntary arbitration
  - 5) Adjudication- labour court, Tribunal and National Tribunal settlement bodies and techniques
- d) Powers of appropriate Government under the Industrial Dispute Act, 1947

- e) Unfair labour practice

### **UNIT-III: THE INDUSTRIAL DISPUTE ACT, 1947**

#### **INSTRUMENTS OF ECONOMIC COERCION**

- a) Concept of strike
- b) Gherao
- c) Bandh and lock-out
- d) Types of strike
- e) Right to strike and lock-out
- f) General prohibition on strikes and lock-out
- g) Prohibition on strikes and lock-outs in public utility services.
- h) Illegal strikes and lock-outs
- i) Justification of strikes and lock-outs
- j) Penalties for illegal strikes and lock-outs
- k) Wages for strikes and lock-outs

### **UNIT-IV: EMPLOYEE'S STATE INSURANCE ACT, 1948**

- a) Historical background
- b) Aims, objects and application
- c) Definitions
- d) Security measures ( benefits available )
- e) Employment injury
- f) General rules concerning benefits
- g) Authorities under the Act

### **UNIT-V THE EMPLOYEES PROVIDENT FUND AND MISCELLANEOUS PROVISIONS ACT, 1952**

- a) Historical background
- b) Aims, object and application
- c) Definitions
- d) Authorities under the Act

#### **SUGGESTED READINGS**

Statutory Material- Trade Union Act, 1926, Industrial Employment (Standing Orders) Act, 1946  
And Industrial Disputes Act, 1947

S.C. Srivastava – Industrial Relations And Labour Law, Vikas Publishing House, New Delhi

Dr. S.C. Srivastava- Labour Law And Industrial Relations

Dr. S.K. Puri, Labour And Industrial Laws

Dr. V.G. Goswami- Labour Law And Industrial Law

S.N. Mishra- Labour And Industrial Law

O.P. Malhotra- Industrial Disputes Act, Vol. I And II

Indian Law Institute- Cases And Materials On Labour Law And Labour Relations

**NAME OF SUBJECT: JURISPRUDENCE**

**PAPER CODE: Law- 503**

**MAXIMUM MARKS: 30+70=100**

**TIME ALLOWED: 3 HRS.**

**INTERNAL ASSESSMENT: 30 MARKS**

**TERM-END EXAMINATION: 70 MARKS**

**OBJECTIVE OF THE COURSE:** Concept of law is central to the legal enterprise. In the absence of a comprehensive understanding of this concept neither legal education nor legal practice can be set towards attaining justice in the society. Pedagogy is merely teaching of rules without the knowledge of cognitive and teleological foundations of the discipline and it would not be possible to present a synchronization of various statutes, cases, procedures, practices and customs in the form of a 'systematic body of knowledge' nor it would be possible to show the interconnectivity among various branches of law.

A course in Jurisprudence should primarily induct students into a world of questions concerning law so as to enable the student to toy with their complexity and perplexity and is driven to seek answers for himself such as questioning- "Who says what to whom under what circumstances and for what purpose" which shall in turn unfold mysteries of law before them.

**MODULE-I: Introduction**

**a) Meaning of Jurisprudence/Legal Theory, Nature, Need and Scope.**

- b) Linkages between Jurisprudence and other sciences-
  - a. Law and Justice.
  - b. Law and Morality.
- c) Nature and definition of Law.
- d) Definition of State.
- e) Elements of State.

#### **MODULE-II: Schools of Jurisprudence**

- a) **Analytical Positivism, Pure Theory.**  
 [Limits on legislative authority: There are no limits (Positivism)]  
 These theories comprise of
  - i. Command Theory of Law: Utilitarianism (John Austin).
  - ii. Normative Theory of Law: Pure Theory (Hans Kelsen).
  - iii. Rule theory of Law: Law as system of rules- combination of primary and secondary rules ( H.L.A Hart).
- b) **Natural Law**
  - a. Divine and prophetic theories of law e.g. Hebrew Law, Law of Manu and the Islamic Law.
  - b. Natural Law theories: An Overview
    - i. Natural Law as Virtue (dharma)--- Hindu.
    - ii. Natural Law as justice by nature--- Aristotle.
    - iii. Natural Law as Right reason--- Cicero.
    - iv. Natural Law as Law of God--- St. Thomas Aquinas.
    - v. Natural Law as inner morality of law--- Fuller
- c) **Historical Jurisprudence:** Historical theories arose out of revolt against Rationalism and the power of human will and tradition:
- d) **Sociological Jurisprudence:**
  - a. Sociological Theory: Functions of law- Law as a means of social control. Jurisprudence of Interests- Roscoe Pound
  - b. Realist Movement.
- e) **Indian Jurisprudence:**
  - a. Classical Approach.
  - b. Medieval Approach.
  - c. Modern Trends.

#### **MODULE-III: Sources of Law**

- a) Ancient: Customs etc.
- b) Modern: Precedents and Legislation.

#### **MODULES-IV: Concepts of Law.**

- a. **Rights and Duties: Theories and Classification**
- b. **Legal Personality**
- c. **Possession, Ownership and Property**

**MODULE-V: Principles of Liability**

- a) **Liability and Negligence.**
- b) **Absolute Liability.**
- c) **Immunity.**

**SUGGESTED READINGS**

1. **Legal Theory--- W. Friedmann.**
2. **Salmond on Jurisprudence--- Fitzgerald (ed.).**
3. **Jurisprudence--- Dias R.W.N**
4. **The Concept of Law--- H.L.A. Hart.**
5. **Introduction to the Philosophy of Law--- Roscoe Pound.**
6. **Jurisprudence: A Study of Indian Legal System--- S.N. Dhyani.**
7. **Jurisprudence: Paton G.W.**
8. **Jurisprudence and Legal Theory--- V.D. Mahajan.**
9. **B.N. Maini Tripathi--- Legal Theory.**
10. **N.V. Paranjape: Legal Theory.**

**NAME OF SUBJECT: CONSTITUTIONAL LAW-I**

**PAPER CODE: Law- 504**

**MAXIMUM MARKS: 30+70=100**

**TIME ALLOWED: 3 HRS.**

**INTERNAL ASSESSMENT: 30 MARKS**

**TERM-END EXAMINATION: 70 MARKS**

**OBJECTIVE:** Constitution of India is the highest norm of public law. It embodies the main principles of the Democratic Government. Understanding of the Constitution and law is imperative for law students such as how it came into being, what are its powers, functions, responsibilities, obligations and how power is limited and distributed. Therefore a deep understanding of the Constitution of India which developed through constitutional amendments, judicial decisions, constitutional practice and conventions is essential for law students. Students should know the evolution of the Constitution of India, philosophy of federalism especially Centre- State relations, Constitutional process of adoption and alteration and services under the Constitution. Constitutional law highlights its never ending growth in above mentioned areas. Students are also expected to know the myriad interpretations of Constitution and why a particular interpretation was adopted by the Supreme Court. A critical analysis is of prime importance for the study of the Constitution

## **MODULE 1**

1. The Indian Constitution a historical retrospect, its framing and the nature of the Constitution.
2. The Preamble of Indian Constitution.
3. The Union and its territory (Article 1 to 4)
4. Citizenship ( Article 5 to 11)

## **MODULE 2**

1. Definition of the term 'State' in context of Fundamental Rights ( Article 12)
2. Laws inconsistent with Fundamental Rights ( Article 13)
3. Right to Equality (Article 14 to 18)
4. Fundamental Freedoms ( Article 19)

## **MODULE 3**

1. Protection in the respect of conviction for offences ( Article 20)
2. Right to life and personal liberty (Article 21)
3. Protection against arrest and detention (Article 22)

## **MODULE 3**

1. Right against exploitation ( Article 23-24)
2. Right to freedom of religion ( Article 25-28)
3. Cultural and educational rights (Article 29- 30)
4. Exception to non -violability of Fundamental rights ( Article 31-B)

## **MODULE 4**

1. Rights to constitutional remedies ( Article 32)
2. Directive principles of State Policy (Article 37- 51)
3. Fundamental Duties (Article 51 A)

## **MODULE 5**

1. President and Vice President of India ( Article 52-70)
2. Powers of President and Governor to grant pardons etc.( Article 72 &161))
3. Central Executive ( Article 73-75)



4. The Governor ( A153-154 )
5. Promulgation Ordinance by President and Governor( Art.123- 213)

### **SUGGESTED READINGS**

1. Constitution of India ----- Dr. V.N. Shukla
2. Indian Constitutional Law -----M.P. Jain
3. Constitutional and Administrative Law in -----Nutsels.
4. Constitutional Law of India Vol. 1-3(1986) -----M. Hidayatullah
5. Constitutional Law of India –M.V. Pylee
6. Shorter Constitution of India-----D.D. Basu
7. Constitutional Law of India—H.M. Seervai