



Chotanagpur Law College, Ranchi, Jharkhand

SEMESTER-IV

PAPER-I

ENVIRONMENTAL LAW

FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. Sustainable development and equitable society, problems of developmental technology.
2. European Communities Law – International Law – Judicial Review, Remedies, Procedure – Restrictions on Judicial Review.
3. **Constitutional and Legislative Provisions:**
 - (a) Constitutional provisions and environment.
 - (b) Environmental protection and fundamental rights duties :
The right to Wholesome Environment.
4. **Digest of environmental legislation:**

The Wild life Protection Act of 1972.
The Indian Forests Act of 1927.
The Forest Conservation Act of 1980.
The Insecticides Act of 1968.
The Atomic Energy Act of 1962.
The Factories Act of 1948.
5. **Judicial remedies and procedures Tort Law:**
 - (i) Damages and Injunction .
 - (ii) Nuisance, Negligence and strict liability.
 - (iii) Public interest litigation, Locus standi Principle.
 - (iv) Judicial Activism.
6. **Bio-Medical waste disposal.**



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SEMESTER-IV

PAPER – II

LAND LAWS (including ceiling and local laws)

FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. Chotanagpur Tenancy Act, 1908,
Chapter – I to VIII.
Chapter – IX Section 51A, 55, 56, 57, 58, 59, 60, 61, 61A, 62, 63.
Chapter – X Whole, except Sec. 75 amended upto date.
Chapter – XII Section 83, 84, 91, 92.
Chapter – XIV Whole.
Chapter – XV Section 127, 134.
Chapter – XVI Section 137, 139, 139A, 143, 144, 172, 173, 177, 178, 179, 182,
196, 206, 208, 210, 211, 212, 213, 213A, 215, 217, 218, 224.
Chapter – XVIII Whole.
Chapter – XIX Section 257, 258.



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SEMESTER-IV

PAPER-III

**CRIMINAL PROCEDURE CODE, JUVENILE JUSTICE
ACT & PROBATION OF OFFENDERS ACT**

FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

PART-A

CRIMINAL PROCEDURE CODE, 1973

25-MARKS

- 1. Jurisdiction of the Criminal Courts in inquiry.**
- 2. Conditions Requisite for Initiation of Proceedings.**
- 3. Complaints to Magistrates.**
- 4. Commencement of Proceedings before Magistrates.**
- 5. Trials :**
 - (a) Trial before a court of session.**
 - (b) Trial of warrant-cases by Magistrate.**
 - (c) Trial of summons-cases by Magistrate.**
 - (d) Summary Trials.**
- 6. Charge – contents, Joinder of charges.**
- 7. Appeals.**
- 8. Reference and Revision.**
- 9. Provisions as to bail and bonds.**
- 10. Limitation for taking cognizance of certain offences.**
- 11. Inherent powers of High Court.**



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PART-B **THE PROBATION OF OFFENDERS ACT, 1958**

15-MARKS

1. Probation – As a resocialization process.

Objects and reasons of the Act – Historical perspective and legislative history of probation law in India.

2. Concept and Definition of Probation.
3. Probation of Offenders Act, 1958 (All Sec.)
4. Distinction between Probation and suspended sentences.
5. Judicial Trend in Probation.

Book recommended:-

Cr. P. C. – By K. C. Kelkar



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PAPER- IV

PROPERTY LAW

(Including Transfer of Property Act & Easement Act)

FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

PART-A

25-MARKS

Chapter – I

Sale: Definition – Mode of sale – Rights and Liability of seller and buyer

Difference between Sale and Exchange.

Chapter – II

Mortgages: Definition – Kinds of Mortgages and features – Rights of Mortgager and Mortgagee-Liabilities of Mortgager and Mortgagee – Right of Redeem, Partial Redemption, Cloger Redemption, securities – Marshalling and Contribution and subrogation and charge..

Chapter – III

Leases: Definition – Scope – Leases how made - Determination of Lease– Holding over.

Chapter – IV

Gifts: Scope and meaning – Mode of Transfer – Onerous gift – Universal Donee.



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PART-B
INDIAN EASEMENT ACT

MARKS -15

- Easements:** Definition – classifications – characteristics
- Mode of acquisition.
 - Kind of Easement
 - Extinction of easements.
 - Licence – Difference between Licence and Easements.



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SEMESTER-IV

PAPER-V

ADMINISTRATIVE LAW

FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

Chapter-I – Judicial Control of Administrative Actions.

Preliminary.

Scope of Judicial Review, Jurisdictional error/ultra vires, abuse and non exercise of jurisdiction, error apparent on the face of the record, Violation of principles of natural justice, Mandamus, Certiorari, Prohibition, Quo-Warranto, Habeas Corpus, Declaratory judgments and injunctions..

Chapter-II – Administrative Discretion

Need for administrative discretion, Administrative discretion and rule of law, Mala fide exercise of discretion,

Chapter-III – Liability for Wrongs (Tortious and Contractual)

Tortious liability: sovereign and non-sovereign functions, Statutory immunity, Act of State, Promissory Estoppel and Waiver.

Chapter-IV – Corporations and Public Undertakings

Nature liability and control of public corporations.

Chapter-V – Ombudsman, Parliamentary Commissioner



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PAPER-VI

COMPANY LAW

FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. Directors– Appointment and legal position – removal– role of nominee directors – managing directors and other managerial personnel.
2. Meetings – kinds, procedure – voting.
3. Audit and accounts.
4. Borrowing powers and effects of unauthorised borrowing.
5. Debentures – meaning and kind – floating charge ; relation between shareholder and debenture holder; remedies of debenture holders.
6. Protection of minority rights : oppression of mismanagement; meanings; conditions for the remedies against oppression and mismanagement and persons entitled to seek relief against oppression and mismanagement powers of the court and of the Central Government for the prevention of oppression and mismanagement .
7. Winding up : meaning types grounds and the persons entitled to apply for winding up; official liquidator and liquidator ; Appointment and Powers.



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PRACTICAL TRAINING

Objectives :

Lawyers are supposed to perform an important function of helping people to abide by the law. They are officers of Courts and supposed to help them arrive at the truth and just resolution of disputes. The successful operation of the delivery of justice depends upon the commitment of the lawyers to the case of justice. Various ethical questions arise in this connection. The purpose of these papers is to acquaint the student with:-

- (a) Social background of the lawyers.
- (b) How far career opportunities in the profession are determined by their Caste/Class/Sex/Context and public relation background?
- (c) How far the legal profession is professionalised in its dealings with the clients on the one hand and judges on the other?
- (d) How far legal profession is apprised of the law as an instrument of social change and law far it can participate meaningfully in the transformation effort?
- (e) What ethical standards are expected of the lawyers and how are such standards enforced?

The following syllabus of these papers is prepared to train the students to be a good lawyer. These papers are distributed in three parts:-

- (I) In classroom instruction which will carry 50 marks by written examination.
- (II) Field work will carry 30 marks.
- (III) Viva-voce will carry 20 marks. The written examinations questions may be objective type and short descriptive type.



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SEMESTER-IV

PAPER – VII

LEGAL HISTORY

FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

Chapter-I.

The Indian High Court Act, 1861.
The Government of India Act, 1909 and 1919.
Government of India Act, 1935.

Chapter-II.

Appeal to Privy Council.
Appeal to Federal Court.
Appeal to Supreme Court.

Chapter-III.

Development of Criminal Law 1772-1860.
Muslim law of crimes : Salient features

Chapter-IV.

Development of Civil Law.
Bengal Madras and Bombay Scheme.
Charter Act of 1833.
Justice, Equity & Good Conscience.

Chapter-V.

Law Commissions.



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SEMESTER-IV

PAPER-VIII

PRACTICAL TRAINING

FULL MARKS-100

Public Interest Lawyering Legal Aid and Para Legal Services.

PART-A

CLASSROOM INSTRUCTIONS

Theory Paper 50-Marks

(I) **Acts, Laws, Rules etc. about Lok Adalat and Legal Aid.**

- (a) Article 39A of the Constitution of India – Right to legal aid is a fundamental right under article 21 of the Constitution of India, Sec.309 of Cr. P.C., 1973.

Important cases :- (i) Hussainara Vrs. State of Bihar (AIR 1979 SC 1369).

- (ii) Khatri Vrs. State of Bihar (AIR 1981 SC 928).
- (iii) Haskot Vrs. State of Maharashtra AIR 1978 SC 1548.
- (iv) Janardan Reddy Vrs. Hyderabad AIR 1951 SC 217.

- (b) Legal Services Authority Act, 1987.
- Aims and Objective of the Act.
 - Different authorities and modes under the Act.
 - Class of peoples eligible to get legal aid.

- (II) Alternative Dispute Resolution Systems.
Mediation, Negotiation, Conciliation, and Arbitration.



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- (III) Public Interest Litigation.
- Its development and effect on traditional rules, doctrine of locus standi.
 - Its effect on society and executives.
 - Its misuse – and unscrupulous person should prevented to vindicate. his personal grudge in garb of protecting a public or social interest.
 - Recent trend of judiciary in PIL Cases.

Important Case:-

- (i) S. P. Gupta Vrs. Union of India.
 - AIR 1982 SC 149, 194 (Scope and basic approach).
 - (ii) D. C. Wadhwa Vrs. State of Bihar.
 - AIR 1987 SC 579 Paragraph 38. (Locus Standi)
 - (iii) Ratlam Municipality Vrs. Vardi Chand.
 - AIR 1980 SC 1622 (General)
 - (iv) Charan Lal Sahu Vrs. Union of India.
 - AIR 1990 SC 1480 (Doctrine of Parens patrinae)
 - (v) Bandhua Mazdoor Case. AIR 1984 SC 802 (Proceeding can be continued even if petitioner withdraws himself from it).
 - (vi) Rudal Sah Vrs. State of Bihar AIR 1983 SC 1086 (Compensation to Victim).
 - (vii) Olga Tellis Vrs. Bombay Corporation. AIR 1986 SC 180 (Fundamental Rights can not be waived).
 - (viii) Saheli Vrs. Commissioner of Police.
 - AIR 1990 SC 513 (Compensation for Police atrocities)
 - (ix) Sunil Batra Vrs. Delhi Administration.
 - AIR 1980 SC 1579 (Treatment in Prisons)
- (IV) Para Legal Services:-



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- (a) Social Profile of the Legal Profession.
 - Class/caste/education/sex composition of the different Bar.
 - Professional opportunities-Upward mobility.
 - How far have under privileged groups such as SC/ST advanced in the Profession.
 - Position of women lawyers-Career opportunities and Handicaps.

- (b) Non-State Legal System (NSLS).
 - Conceptions of NSLS.
 - Type NSLS
 - Interaction Between NSLS and SLS.

- (c) Law are instrument of Social Control-Impact of law in Society.

PART-B **FIELD WORK**

30-MARKS

1. Attending Lok Adalat, Legal Aid Centre, Legal literacy, Camp and Para Legal training camp organised by the different Courts, University or College
2. Legal research in support of PIL.
3. Reporting of cases which students observed in different court rooms.

PART-C **VIVA-VOCE**

20-MARKS