

LL.B. SEMESTER – IV

Dr. Babasaheb Ambedkar Marathwada University, Aurangabad

(3 Years LL.B. Course after Graduation – CBCS Pattern)

Papers Prescribed

1. **4.1 Criminal Procedure Code**
2. **4.2 Company Law**
3. **4.3 Labour Law – II**
4. **4.4 Interpretation of Statutes (Optional Legal)**
5. **4.5 ADR – Alternative Dispute Resolution (Clinical Legal Education – II)**

PAPER I – CRIMINAL PROCEDURE CODE

(Including Juvenile Justice & Probation of Offenders Act)

Unit I – Criminal Justice System

- Inquisitorial and Adversarial systems
- Constitutional perspective (Articles 14, 20, 21 & 22)
- Salient features of CrPC, 1973
- Criminal Courts: Police, Prosecution, Defence and Prison Authorities
- Investigation, Inquiry, Trial, Charge, Summons, Warrant
- Appeals, Revision, Reference, Discharge and Acquittal

Unit II – Investigation Proceedings

- FIR (Secs. 154–157)
- Powers of Police (Secs. 160–165)
- Arrest with and without warrant
- Search and Seizure
- Confessions and Statements
- Police Diary, Police Report, Inquest

Unit III – Jurisdiction of Courts & Bail

- Jurisdiction of Criminal Courts
- Cognizance of Offences
- Complaints to Magistrate
- Bail provisions (Secs. 436–450)

Unit IV – Security & Maintenance Proceedings

- Security for keeping peace and good behaviour
- Public Nuisance
- Disputes relating to immovable property
- Maintenance of wives, children and parents
- Muslim Women (Protection of Rights on Divorce) Act, 1986

Unit V – Trial Proceedings

- Fair Trial and Presumption of Innocence
- Charge – Framing and Alteration
- Trial before Magistrates and Sessions Court
- Summary Trials
- Withdrawal from Prosecution
- Compounding of Offences
- Evidence in Inquiries and Trials

Unit VI – Judgment, Appeals & Revision

- Judgment and Sentencing
- Confirmation of Death Sentence
- Appeals, Revision and Reference
- Transfer of Criminal Cases
- Execution, Suspension, Remission and Commutation of Sentences

Unit VII – Juvenile Justice System

- Concept and History of Juvenile Justice
- Juvenile Justice Act, 1986
- Juvenile Justice (Amendment) Act, 2000
- Juvenile Courts and Juvenile Homes

Unit VIII – Probation of Offenders & Parole

- Probation of Offenders Act, 1958
- Role of Probation Officers
- Parole System

Unit IX – Reforms in Criminal Procedure

- Malimath Committee Recommendations
- CrPC Amendment Act, 2005 & 2006

PAPER II – COMPANY LAW

Unit I – Company: Meaning & Nature

- Meaning and Characteristics
- Corporate Personality & Lifting of Corporate Veil
- Kinds of Companies

Unit II – Incorporation & Documents

- Memorandum and Articles of Association
- Doctrine of Ultra Vires
- Doctrine of Constructive Notice
- Indoor Management
- Prospectus and Misstatements

Unit III – Shareholders & Share Capital

- Shares and Share Capital
- Transfer and Transmission of Shares
- Share Certificates
- Calls, Forfeiture and Surrender

Unit IV – Directors

- Appointment and Qualification
- Powers and Duties
- Removal and Resignation
- Meetings and Registers

Unit V – Dividends & Borrowing Powers

- Dividends and Capitalisation
- Debentures
- Charges and Mortgages

Unit VI – Majority Rule & Oppression

- Protection of Minority Rights
- Prevention of Oppression and Mismanagement

Unit VII – Other Allied Aspects

- Private and Public Companies
- Holding and Subsidiary Companies
- Foreign Companies

Unit VIII – Reconstruction & Amalgamation

Unit IX – Winding Up

- Grounds and Procedure
 - Powers of Liquidator
 - Consequences of Winding Up
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PAPER III – LABOUR LAW – II

Unit I – Remuneration for Labour

Unit II – Wages & Bonus

- Minimum Wages Act, 1948
- Payment of Wages Act, 1936
- Payment of Bonus Act, 1965

Unit III – Social Security

- Workmen's Compensation Act, 1923
- Employees State Insurance Act, 1948

Unit IV – Retirement Benefits

- Provident Fund
- Pension Scheme
- Gratuity Act, 1972

Unit V – Labour Welfare

- Factory Act, 1948
- Equal Remuneration Act
- Maternity Benefit Act

Unit VI – Contract Labour

- Contract Labour (Regulation & Abolition) Act, 1970
- Judicial Decisions

Unit VII – Unorganised Sector

- Social Security Act, 2008

Unit VIII – Protection of Weaker Sections

- Bonded Labour System Act
- Inter-State Migrant Workmen Act

PAPER IV – INTERPRETATION OF STATUTES (Optional Legal)

Unit I – Introduction

- Meaning and Scope of Interpretation
- Literal Rule
- Golden Rule

Unit II – Beneficial & Restrictive Construction

Unit III – Judicial Interpretation

- Judicial Activism & Restraint

Unit IV – Presumptions in Interpretation

Unit V – Harmonious Construction

- Avoidance of Absurdity

Unit VI – Strict & Equitable Construction

Unit VII – Legislative Intent

- Mandatory and Directory Provisions

Unit VIII – Rules of Statutory Interpretation

- Mischief Rule
- Ejusdem Generis
- Noscitur a Sociis

Unit IX – Constitutional Interpretation

PAPER V – ALTERNATIVE DISPUTE RESOLUTION

(Clinical Legal Education – II)

Unit I – Judicial Dispute Resolution

Unit II – Alternative Dispute Resolution

- Arbitration
- Conciliation
- Negotiation
- Mediation

Unit III – Self-Help Resolution Systems

- Lok Adalat
- Panchayat & Nyaya Panchayat

Unit IV – Arbitration and Conciliation Act, 1996

Unit V – Arbitral Proceedings & Awards

Unit VI – CPC & Conciliation

Unit VII – Other ADR Forums

- Family Courts
- Consumer Forums
- Motor Accident Tribunals

Unit VIII – Legal Services Authority

Unit IX – Role of NGOs in ADR