

**Shri Rawatpura Sarkar University,  
Raipur**



**Examination Scheme & Syllabus**

**for**

**B.A.L.L.B.**

**Semester-V**

(Effective from the session: 2019-20)



**Faculty of Law,**  
**Shri Rawatpura Sarkar University, Raipur**  
**B.A.-L.L.B.**  
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S · N	Paper Code	Name of Subject	Th/ Pr	Type of Paper	Teaching hours per week				Examination Scheme				Total Marks
					L	T	P	TC	Theory		Practical		
									EX	IN	EX	IN	
1	BALLB 501	Jurisprudence and Legal Theory	Th	Core	3	1	-	4	70	30	-	-	100
2	BALLB 502	Law of Torts including Motor Vehicle Act and Consumer Protection Laws	Th	Core	3	1	-	4	70	30	-	-	100
3	BALLB 503	Law of Crimes -I (I.P.C.)	Th	Core	3	1	-	4	70	30	-	-	100
4	BALLB 504	Law of Crimes -II (Criminal Procedure Code ,1973 Juvenile Justice Act,2015 & Probation of Offenders Act,1958)	Th	Core	3	1	-	4	70	30	-	-	100
<b>Total contact hrs. per week</b> 40					<b>Total Credit: 16</b>				<b>Grand Total Marks: 400</b>				



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<b>Course Title</b>	Jurisprudence and legal theory				
<b>Course Code</b>	BALLB501				
<b>Course Credits</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>TC</b>	
	3	1	-	4	
<b>Prerequisites</b>	Introduction regarding Jurisprudence and legal theory				
<b>Course Objectives</b>	<ul style="list-style-type: none"> <li>Being in the field of law it is very important to study the concept of law, which can be achieved through studying jurisprudence i.e., knowledge of law, among these contributions a number of theories concerning natural law and several religious rule systems prevail.</li> </ul>				
<b>Course Contents</b>	<p><b>UNIT-I</b>  <b>INTRODUCTION MEANING, NATURE AND SCOPE:</b> a) What is Jurisprudence? Its meaning, Nature &amp; Scope. b) Its study as a basic problem concerning the law. c) Jurisprudence as a Normative Science its relation with other sciences. d) Jurisprudence in Eastern scriptures both in Hindu and Muslims.</p> <p><b>UNIT-II</b>  a) Jurisprudence and law - Definition of law its nature kind and classification. b) Law and morality state &amp; law sovereignty. c) Administration of justice. d) Sources of law Custom, Legislations, Precedents, Religion and Agreement.</p> <p><b>UNIT-III</b>  <b>SCHOOLS OF JURISPRUDENCE THEIR EXPONANT AND THEIR VIEWS:</b> a) Historical and Philosophical. b) Analytical. c) Legal Positivism. d) Sociological and Economical School. e) Pure theory of law and Realist school, Indian Legal Thinker, Manu and Kautilya.</p> <p><b>UNIT-IV</b>  <b>LEGAL CONCEPTS:</b> a) Rights and Duties. b) Possession and ownership. c) Person. d) Title.</p> <p><b>UNIT-V</b>  <b>LIABILITY PROPERTY OBLIGATION &amp; EVIDENCE:</b> a) Liability - Definition, Nature, Kind - Civil and Criminal. General conditions of liability - Negation, Their Theories Subjective &amp; Objectives, Mental aspects, Duty of care, Standard &amp; Care, Exemptions for Liability. b) Obligation - Definition, kinds and sources of obligation. c) Property - Its meaning and kinds and theories mode &amp; acquisition, Its relation with law. d) Evidence - Procedural and Substantial, Element of Judicial procedure Evidence its nature and kinds.</p>				
<b>Course Outcomes</b>	<ul style="list-style-type: none"> <li>After completion of this course students will be able to :- To demonstrate, a critically understanding of major schools of legal theory which have</li> </ul>				



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	influenced the development of present law.To critically analyze the relationship between law and society from variety of legal jurisprudential perspectives
<b>Text Books</b>	1. HLA Hart - The Concepts of Laws (Oxford) ELBS 2. Salmond - Jurisprudence (Tripathi) Bambay 3. G.W. Paton - Jurisprudence (Oxford) ELBS
<b>Reference Books</b>	5. V.D. Mahajan - Jurisprudence Legal Theory (EBC), Lucknow 6. W. Fridmann - Legal Theory (1999) (Universal) Delhi. 7. S.N. Dhyani - Jurisprudence - A study of Indian Legal Theory (Metropolitan), New Delhi.



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<b>Course Title</b>	Law of torts, Motor Vehicle Act, Consumer Protection Act			
<b>Course Code</b>	BALLB502			
<b>Course Credits</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>TC</b>
	3	1	-	4
<b>Prerequisites</b>	Introduction regarding Law of torts, Motor vehicle Act, Consumer protection Act			
<b>Course Objective</b>	<ul style="list-style-type: none"> <li>The objective of this paper is make students understand the nature of tort, and conditions liability with established cases along with consumer protection act, 1986, and motor vehicle act.</li> </ul>			
<b>Course Contents</b>	<p><b>UNIT-I</b></p> <p><b>LAW OF TORTS</b></p> <p>Definition, Nature, Scope, Object &amp; General Principles of Law of Torts: Historical Background of law of Torts - Evolution in England and India, Form of Action and its un-codified characters. It's Indian Origin from the principles of equity justice and good conscience. Definition Torts : Its comparison with crime and breach of contract, its nature, purpose and functions, general principles of liability, its kinds, demnum sine injuria and injuria sine demnum. General Elements in torts - Acts and omission voluntary and non-voluntary act. Mental Element in torts - Malice, intention, negligence, motive, recklessness, carelessness, malafide, malfeasance, misfeasance, non-feasance and fault.</p> <p><b>UNIT-II</b></p> <p><b>Immunities, Justification, Remedies, Discharge and Effect of Death.</b> Immunities from tortious liability. Justification and defences in action of torts - Act of God Act of State, Judicial act, inevitable accident, Private defence, necessity, consent, leave and license. Remedies - damages and its kind, quantum of damages, injunction and its types, Specific restitution of property, joint-tort feors, contribution between wrongdoer, remedies under constitution and compensation as prescribed by statutes, self help, distress damage feasant, discharge of torts - by accord and satisfaction, waiver by election, release acquiescence judgment recovered and statute of limitation and effect of death on tort claim. Wrongs relating to person &amp; property relations; rights: Wrongs relating to person, assault, battery, false imprisonment and malicious prosecution. Wrong relating to domestic and other rights. Intimidation and conspiracy, fraud and deceit. Wrongs relating to immovable - trespass to land, trespass by animal, trespass conversion and detention.</p> <p><b>UNIT-III</b></p> <p><b>NEGLIGENCE, Nuisance, Defamation and Liability for Wrongs Committed by Others:</b> Negligence - Its nature, condition and exception, negligence of various persons is occupied, carriers counsel, doctors, animal, keepers, dangerous goods holder, street and statutory duty and contributing negligence. Nuisance - Nature classification and kind injury to property and remedies. Defamation - Its kinds libel and slender, its</p>			



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	<p>definition and essentials, repetition, defenses in defamation and remedies for defamation. Liability for wrongs committed by others - liability by ratification by relations i.e. master and servants, principal and agent, owner and independent contractor, liability of the State, doctrine of common employment, liability for abatement, absolute and strict liability.</p> <p><b>UNIT-IV</b></p> <p><b>THE MOTOR VEHICLES ACT, 1988:</b></p> <p>Introduction- aims and objects of M.V.A, title, extent and commencement of the act with modification, definitions, licensing of drivers of motor vehicles(Ss 3-28), licensing of conductors of stage carriages,(Ss 29-38), registration of motor vehicles,(Ss 39-65), control of transport vehicles,( Ss 66-96), control of traffic,(Ss 112-138), liability without fault in certain cases,(Ss 140-144), insurance of motor vehicles against third party risk,(Ss 145—164), claims tribunals,(Ss 165-173), offences, penalties and procedure,(ss174-205), power of police officer to impound documents and detain vehicles used without certificate of registration, permit etc., summary disposal of cases, appeal and revision on orders passed by original authority, The first schedule and the second schedule.</p> <p><b>UNIT-V THE CONSUMER PROTECTION ACT, 1986</b></p> <p>Introduction- Aims, object and scope of Consumer Protection ACT, Definitions, Central Consumer Council, State Consumer Council. Consumer Disputers Redressal Agencies- Composition, Jurisdiction and function of district forum, State Commission and National Commission, Procedure adopted in dealing with complaint and appeal cases, Enforcement and execution of orders by Consumer Fora under section 25 and 27 of Consumer Protection ACT,1986.</p> <p><b>LEADING CASES:</b></p> <p>Indian medical association vs. V.P. Shantha (AIR1896 SC530), Lucknow Development Authority vs. M.K. Gupta (AIR1994 SC787), Kasturi Lal Ralia Ram vs. State of U.P. (AIR 1955, S.C.1939), Saheli &amp; woman resource centre vs. commissioner of police (AIR1990 S.C.51), M.C. Mehta vs. Union of India (AIR1987 SC1086)</p>
<p><b>Course Outcomes</b></p>	<ul style="list-style-type: none"> <li>The law of tort had originated from common law, and by large this branch of law continues to be uncodified. Tortious liability has been codified only to very limited extent such as workmen's compensation, motor vehicle accidents, environmental degradation, consumer protection.</li> </ul>
<p><b>Text Books</b></p>	<ol style="list-style-type: none"> <li>Ratanlal Dhirajlal - The law of torts (1997), Wadwa Nagpar.</li> <li>Winfield and Jolowitz - on Torts (1999) Sweet &amp; Maxwell, London.</li> <li>Salmond and Houston - Tort (1999) Butterworth, London.</li> <li>P.S. Achutan Pillai - The Law of Torts (2004) E.B.C. Lucknow.</li> </ol>
<p><b>Reference</b></p>	<ol style="list-style-type: none"> <li>D.N. Saraf - Law of consumer protection in India (1995) Tripathi.</li> </ol>



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<b>Books</b>	<ol style="list-style-type: none"><li>2. P.R. Majundar - Law of consumer protection in India (1998) Orient, New Delhi.</li><li>3. Ramaswami Aiyer - Law of Torts (1999) Tripathi, Bombay.</li><li>4. M.D. Chaturvedi – Apkrtyo ki vidhi (1998) EBCL (in Hindi)</li></ol>
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<b>Course Title</b>	Law of Crimes (IPC)				
<b>Course Code</b>	BALLB503				
<b>Course Credits</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>TC</b>	
	3	1	-	4	
<b>Prerequisites</b>	Introduction regarding Law of Crimes and Punishments				
<b>Course Objectives</b>	<ul style="list-style-type: none"> <li>This course is designed to understand the meaning of crime, methods of controlling them and the essential principles of criminal liability by a study of a range of offences under Indian Penal Code</li> </ul>				
<b>Course Contents</b>	<p><b>UNIT-I</b></p> <p><b>HISTORY EXPLANATION PUNISHMENT &amp; GENERAL XCEPTIONS</b></p> <p>(a) History of Criminal Law &amp; Applicability of Indian Penal Code, Salient Feature of IPC (Sec. 1 to 5) (b) General Explanation and definition in the code (Chapter II) (c) Important section relating to punishment - its nature, simple &amp; rigorous punishment solitary confinement . Fine General rules of commutation and termination of punishment on payment of fine, limit of punishment in several offences. Discretion in awarding punishment. (d) General exceptions - factors negating guilty intention, mental incapacity, minority, insanity involuntary intoxication. Private defence - When private defence extent to causing the death to protect body and property, necessity and mistake of fact, (Sec. 76 to 106)</p> <p><b>UNIT-II</b></p> <p><b>ABETMENT CRIMINAL CONSPIRACY AND OFFENCES AGAINST THE PUBLIC TRANQUILITY AND PUBLIC HEALTH AND OF FALSE EVIDENCE (Chapter V, V-A, VIII, XI)</b> a) Abatement - Abettor etc. (Chap. V)b) Criminal Conspiracy (Chap. VA) and sedition (Chap. 124A) c) Offences against the public tranquility safety and health - Unlawful assembly, Rioting, Affray, Public Nuisance, Adulteration, Rashly Driving &amp; Obscenity. (d) False Evidence - Giving false evidence and fabricating false evidences &amp; Harboring offenders.</p> <p><b>UNIT-III</b></p> <p><b>OFFENCES AGAINST HUMAN BODY (Chapter XVI):</b> a)Culpable Homicide, Murder, Distinction between culpable homicide and murder, mental element required for murder, situation justifying, treating murder as culpable homicide not amounting to murder, Grave and sudden provocation, causing death by negligence and dowry death. (Sec. 299 to 304b) b) Injuries to unborn children - Miscarriage with or without consent. Rash and Negligent act causing death (Sec. 312-317) (c) Hurt - Grievous and simple, voluntarily and involuntarily and on provocation, wrongful restraint and wrongful confinement. (Sec. 349 to 358)d)Criminal force and assault, Kidnapping from lawful guardianship and from outside India. Abduction (Sec. 359 to 362) Rape, custodial rape and unlawful offences.</p>				





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	<p><b>UNIT-IV OFFENCES AGAINST PROPERTY (Chapter XVII):</b> a) Theft, Extortion Robbery &amp; Decoity and its various forms. b)Criminal isappropriation of Property, Criminal Breach of trust and receiving stolen property and its various forms and manners. (Sec. 403-414) c) Cheating and cheating by persons and dishonesty fraudulent removal and disposition of property. (Sec. 415-424) d) Mischief, ischief by hurt and intimidation, criminal trespass, house trespass and its form, House breaking and its forms.</p> <p><b>UNIT-V OFFENCES RELATING TO DOCUMENTS, MARRIAGE REPUTATION AND HONOURa)</b> Forgery and its various forms Making false documents, Property marks and Bank notes. b)Cohabitation with other women, except lawful marriage Adultery (Chap. XX) c)Defamation (Sec. 499)d) Criminal intimidation insult and annoyance (Chapter XXII) and attempts to commit offences. (Sec. 511)</p>
<b>Course Outcomes</b>	<p>After completion of this course students will be able ;-</p> <ul style="list-style-type: none"><li>• To demonstrate and understand various provisions of Indian Penal Code.</li><li>• To apply the methods of controlling crimes and explain a study of range of offences under IPC</li></ul>
<b>Text Books</b>	<ol style="list-style-type: none"><li>1. S.M. Mishra - Indian Penal Code - Latest Ed. Universal, Delhi.</li><li>2. Ratanlal Dhirajlal - Indian Penal Code - 39th Ed. Student Ed., Wadhwa, Nagpur.</li><li>3. Ratanlal Dhirajlal - India Penal Code (Hindi) - Wadhwa, Nagpur 350.00.</li><li>4. K.D. Gaur - A Text Book on the India Penal Code (1998), Universal Delhi.</li></ol>
<b>Reference Books</b>	<ol style="list-style-type: none"><li>5. S.M. Mishra - Indian Penal Code - Latest Ed. Universal, Delhi.</li><li>6. Ratanlal Dhirajlal - Indian Penal Code - 39th Ed. Student Ed., Wadhwa, Nagpur.</li><li>7. Ratanlal Dhirajlal - India Penal Code (Hindi) - Wadhwa, Nagpur 350.00.</li><li>8. K.D. Gaur - A Text Book on the India Penal Code (1998), Universal Delhi.</li></ol>



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<b>Course Title</b>	Law of crimes II, (Criminal procedure code 1860)				
<b>Course Code</b>	BALLB504				
<b>Course Credits</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>TC</b>	
	3	1	-	4	
<b>Prerequisites</b>	Introduction regarding Law of crimes II				
<b>Course Objectives</b>	<ul style="list-style-type: none"> <li>Procedural law providing for a fair Procedure is significant for a just Society. This Course is Aimed at Driving Home The students hot the Pre-Trial and the Subsequent Process are geared up to make the Administration of Criminal System effective.</li> </ul>				
<b>Course Contents</b>	<p><b>UNIT-I</b></p> <p><b>INTRODUCTION, CONSTITUTION AND POWERS OF COURTS AND OFFICERS, PROCESSES TO COMPEL, APPEARANCE AND THE PTODUCTION OF THINGS:</b> a) Introduction definition and constitution of criminal court and offices. (Sec. 1-25). b) Powers of courts and superior officers of police and aid to the magistrate and police (Sec. 26-40). c) Power of police to arrest persons, arrest by private person and arrest by magistrate, Right of the arrested person, Right to know the grounds of arrest and Right to be taken to magistrate without delay and may not be detained for more than 24 hours and his other rights. (Sec. 41-60) d)Processes to compel appearances of persons and production of things, summon and warrant, How these are served ? The procedure of its execution, Proclamation and attachment, search warrants, seizure and other provisions relating to production of things. (Sec. 91-105)</p> <p><b>UNIT-II</b></p> <p><b>SECURITY FOR KEEPING PEACE &amp; MAINTENANCE PREVENTIVE ACTION, INVESTIGATION, INQUIRY &amp; TRIAL &amp; CONDITIONS FOR INITIATION OF PROPERTY:</b> a) Security for keeping the peace and good behavior, maintenance of wife and children. (Sec. 106-128)b) Maintenance of public order and tranquility, unlawful assemblies, public nuisance, urgent cases of nuisance or apprehended danger. (Sec. 144). Dispute related to immovable property. (Sec. 129-148)c) Preventive action of police officers and their power to investigate, FIR and its evidentiary value (Sec. 145-157 of Evidence Act), Recording of confessions (sec. 164), Search and its procedure. (Sec. 149-176)d) Jurisdiction of criminal courts in inquiries and trial –Placeof inquiry and trial and condition requisite for initiation of proceedings. (Sec. 177-199)</p> <p><b>UNIT-III</b></p> <p><b>COMPLAINT, CHARGES, TRIALS BEFORE SESSION &amp; MAGISTRATES, WARRANT AND SUMMONS CASE &amp; SUMMARY TRIALS:</b>a)Complaints and commencements of proceedings before magistrate (Sec. 200-210)b)The charges - forms and Joinder of charges,</p>				



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	<p>Trial before court of session. (Sec. 211-237)c)Trials of warrant and summon case before magistrate. (Sec. 238-259).d)Summary Trials and attendance of person confined and detained in person. (Sec. 260-271), and accused of unsound mind. (Sec. 328-339).</p> <p><b>UNIT-IV</b></p> <p><b>PROVISIONS RELATING TO JUDGEMENT, BAIL, APPEALS, REFERENCE, REVISION AND TRANSFER OR CASES ETC.:</b></p> <p>a)Provisions relating to judgments, its forms and contains. (Sec. 353-371)b)Appeals, revision and reference. (Sec. 372-405c)Transfer of cases and Execution, suspension, Remission and commutation of sentences. (Sec. 413-435)d)Provision relating to Bail and Bonds. (Sec. 436-450)</p> <p><b>UNIT-V</b></p> <p><b>JUVENILE JUSTICE (CARE &amp; PROTECTION OF CHILDREN ACT 2015 &amp; PROBATION OF OFFENDERS ACT 1958:</b>Preliminary and Definition of Juvenile etc under JJ(C &amp; P of C) ACT,2015,(Ss 1-2) Juvenile justice board and its procedure,(Ss 4-9), Procedure In Relation to Children in Conflict with Law, (Ss 10-26), Child Welfare Committee, Procedure in relation to children in need of care and protection (Ss 27-38), Rehabilitation and Social Re-integration,(Ss 39-55), Adoption(Ss 56-73), Other Offences Against Children (Ss 74-88), Appeal and Revision (Ss 101-112). c) Probation of offenders' Act 1958 - Meaning and definition of Probation, its nature and history.d)Admonition and Exemption from punishment below 21 years of age, Power of probation officer and his duty under the Act. (Sec. 1-19)</p>
<b>Course Outcomes</b>	<p>After completion of the course students will be able;-</p> <ul style="list-style-type: none"><li>• To understand Procedural Laws and Hierarchy of Courts in India.</li><li>• To critically analyze the complex issues arising out of the provisions of Cr.P.C and apply the same in practice.</li></ul>
<b>Text Books</b>	<ol style="list-style-type: none"><li>1. D.D. Basu - Criminal Procedure code 1973, Rs. 400.00.</li><li>2. Ratanlal Dhirajlal -Criminal Procedure Code 17th Ed. 2004, Wadhwa, Nagpur.</li><li>3. Woodroffe - Commentaries on Code of Criminal Procedure. 2 Vol. 2000, Universal, Delhi.</li></ol>
<b>Reference Books</b>	<ol style="list-style-type: none"><li>1. D.D. Basu - Criminal Procedure code 1973, Rs. 400.00.</li><li>2. Ratanlal Dhirajlal -Criminal Procedure Code 17th Ed. 2004, Wadhwa, Nagpur.</li><li>3. Woodroffe - Commentaries on Code of Criminal Procedure. 2 Vol. 2000, Universal, Delhi.</li></ol>