

**Shri Rawatpura Sarkar University,  
Raipur**



**Examination Scheme & Syllabus  
for  
B.COM.-L.L.B.  
Semester-V**

(Effective from the session: 2020-21)



**Faculty of Law,  
Shri Rawatpura Sarkar University, Raipur**

**B.COM.L.L.B.**

**SEM-V**

**(2020-21)**

S.N	Paper Code	Th /Pr	Name of Subject	Type of Paper	Teaching hours per week				Examination Scheme				Total marks
					L	T	P	TC	Theory		Practical		
									EX	IN	EX	IN	
1	BCOMLLB501	Th	Administrative law	Core	3	1	-	4	70	30	-	-	100
2	BCOMLLB502	Th	Competition Law	Core	3	1	-	4	70	30	-	-	100
3	BCOMLLB503	Th	Jurisprudence	Core	3	1	-	4	70	30	-	-	100
4	BCOMLLB504	Th	Law of Crimes	Core	3	1	-	4	70	30	-	-	100
5	BCOMLLB505	Th	Family Law	Core	3	1	-	4	70	30	-	-	100
<b>Total contact hrs. per week</b>					<b>40</b>				<b>Total Credit: 20</b>				<b>Grand Total Marks:500</b>



# Shri Rawatpura Sarkar University, Raipur Chhattisgarh

B.COM.L.L.B.

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(2020-21)

<b>Course Title</b>	Administrative law				
<b>Course Code</b>	BCOMLLB501				
<b>Course Credits</b>	L	T	P	TC	
	3	1	-	4	
<b>Prerequisites</b>	Introduction Administrative law				
<b>Course Objectives</b>	With the study of administrative law we familiar with the APA , understand agency legislative functions and agency adjudicative functions, Learn the fundamentals of judicial review of agency action.				
<b>Course Contents</b>	<p><b>UNIT- 1</b> Nature and scope of Administrative Law, Meaning, Definition and Evolution of Administrative Law, Reasons for the growth of Administrative Law , Relationship between Administrative Law and Constitutional Law.</p> <p><b>UNIT- 2</b> Basic concepts of Administrative Law Rule of Law; ‘ Interpretation of Dicey's Principle of Rule of Law , Modern trends - Theory of Separation of Powers ,Position in India, UK and USA</p> <p><b>UNIT- 3</b> Classification of Administrative functions ; Legislative, Quasi-judicial, Administrative and Ministerial functions ; Delegated Legislation Meaning, Reasons for the growth and Classification of delegated legislation Judicial and Legislative Control of Delegated litigation</p> <p><b>UNIT- 4</b> Judicial Control of Administrative Action; Grounds of Judicial Control Natural Justice; Administrative discretion and its control.</p> <p><b>UNIT- 5</b> Remedies available against the State Writs; Lokpal and Lokayukta</p>				



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	Liability of the State in Torts and Contracts; Rule of Promissory Estoppel; Administrative Tribunals; Commissions of Inquiry; Conciliation & Mediation through social action groups; Central Vigilance Commission; Public Corporations. Right To Information
<b>Course Outcomes</b>	After completion of this course student will be able- ✓ To identify, explain and apply the principles of administrative law covered in the course ✓ To identify and analyse some of the current controversies and trends in the area of administrative law  To use, interpret and apply complex statutory material to solve administrative law problems
<b>Text Books</b>	<ol style="list-style-type: none"><li>1. M.P. Jain and S.N. Jain, Principals of Administrative Law, Wadhwa and Company, Nagpur.</li><li>2. Dr. S. P. Sathe , Administrative Law, Butterworths, New Delhi.</li><li>3. Durga Das Basu and A.K.Nandi, Administrative Law, Kamal Law House, Calcutta.</li></ol>
<b>Reference Books</b>	<ol style="list-style-type: none"><li>1. H.W.R. Wade and Christopher Forsyth, Administrative Law, Clarendon Press, Oxford</li><li>2. A. K. Shrivastav, Administrative Law (2 Vols.), Delhi Kamal Prakashan</li><li>3. Indian Law Institute, Cases and Materials on Administrative Law in India</li></ol>



# Shri Rawatpura Sarkar University, Raipur Chhattisgarh

B.COM.L.L.B.

SEM-V

(2020-21)

<b>Course Title</b>	<b>Competition Law</b>			
<b>Course Code</b>	<b>BCOMLLB502</b>			
<b>Course Credits</b>	<b>I</b>	<b>T</b>	<b>P</b>	<b>TC</b>
	<b>3</b>	<b>1</b>	<b>-</b>	<b>4</b>
<b>Prerequisites</b>	<b>Introduction regarding Competition Law</b>			
<b>Course Objective</b>	<p>. Competition law is a rapidly growing area of law which reflects the free market economy and increasing world globalization. The huge economic movements which have taken place in recent years increased the attractiveness of this subject. The course aims to give an overview on the basics of Competition Law in India through a comparison of main jurisdiction, especially USA, and UK, and thus, provide a solid background for further studies of this subject. The course will examine and compare the application of competition law to business agreements, the exercise of dominant position, the combinations between the firms and sellers and enforcement mechanisms. Emphasis will be placed on Indian Competition Act, with discussions of laws from selected other jurisdictions such as US, and UK.</p>			
<b>Course Contents</b>	<p><b>UNIT- 1</b> Introduction; Basic Concepts of Customer and Consumer; Markets- Monopoly, Oligopoly. Cartel-Predatory Pricing; Resale Price Maintenance Competition- models, policy, law and goals of Competition.</p> <p><b>UNIT- 2</b> History and Development of Competition Law. An overview of Legal Framework of Competition Law in US and UK, Historical Development of Competition Law in India Liberalization and Globalization - Raghavan Committee Report. Difference between MRTP and Competition Act. Competition Act 2002 - silent features, important definitions</p> <p><b>UNIT- 3</b> Regulation of Collusion in the Market. Anti Competitive Agreements under the Competition Act, 2002 Appreciable Adverse</p>			



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	<p>Effect of Competition in Market Determination of Relevant Market- Rules of Reason and Perse Illegal Rule; Horizontal and Vertical Restraints - exemptions, Penalties Prohibition of Anti - Competitive Agreements in US and UK laws</p> <p><b>UNIT- 4</b> Regulation of Abuse of Dominant Position ; Introduction - dominance in market, relevant market; Appreciable effects on competition in market; Abusive Conducts under the Competition Act, 2002 - penalties; Prevention of abuse of dominance under US and UK laws</p> <p><b>UNIT- 5</b> Regulation of Combination; Combinations- Merger, Acquisition, Amalgamation and takeover Horizontal, Vertical and Conglomerate Mergers ; Combinations covered under the Competition Act, 2002 Regulation of combination under US and UK laws. Enforcement Mechanism and Emerging Trends in Competition Law.: Enforcement Mechanism under the Competition Act, 2002- CCI of India, powers and functions, jurisdiction, adjudication and appeals. Competition Appellate Tribunal; IPR and Competition Law; International Trade Law and Competition Law; International Competition Law.</p>
<b>Course Outcomes</b>	<p>After completion of this course student will be able -</p> <ul style="list-style-type: none"><li>✓ To Identify, critically analyse and apply the completion laws and penalties</li><li>✓ To understand and interpret various economic concepts behind anti- competitive conduct</li></ul>
<b>Text Books</b>	<p>1. Competition Law in India: Policy, Issues, and Developments; T. Ramappa, Oxford University Press, 2014</p> <p>2 Competition Law in India: A Practical Guide; Abir Roy, Kluwer Law International</p>
<b>Reference Books</b>	<p>1. . Competition Law, By Richard Whish, David Bailey, 8th Edn., Oxford University Press</p> <p>2. Competition Laws in India, Anand Singh.</p>



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SEM-V

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<b>Course Title</b>	<b>Jurisprudence</b>				
<b>Course Code</b>	<b>BCOMLLB503</b>				
<b>Course Credits</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>TC</b>	
	<b>3</b>	<b>1</b>	<b>-</b>	<b>4</b>	
<b>Prerequisites</b>	Introduction regarding Jurisprudence				
<b>Course Objectives</b>	Jurisprudence is a multifaceted phenomenon and it becomes obvious upon scrutinizing its components that the works presented under the label Jurisprudence are very much a mixed bag. 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.				
<b>Course Contents</b>	<p><b>UNIT-I</b> General- Meaning, Nature and Scope of Jurisprudence, Legal Studies and Jurisprudence, Approach to the study of jurisprudence, inter-relationship of jurisprudence with other social sciences Law- Definition of Law, Nature- Kinds and Sources of Law; Law and Morality, Law and Justice Law, Natural Law Theory.</p> <p><b>UNIT-II</b> Schools of Jurisprudence Analytical School – Bentham’s view on ‘Law’; Austin’s Analytical Positivism and imperative theory of law; H.L.A. Hart- concept of Law, Kelson’s Pure theory of Law Historical School – Savigny- Volksgeist, Sir Henry Maine’ contribution .Sociological School - Duguit’s Social Solidarity Pound’s Social Engineering Philosophical or Ethical School, Realistic School - Justice Holmes Bad Man Theory</p>				



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	<p><b>UNIT-III</b></p> <p>Essential elements of Legal Rights, Theories of Legal Rights, Right and Duty relationship, Kinds of Legal Rights; Ownership And Possession- Definition, Essentials , Kinds of Ownership; Possession-Meaning Scope Elements of Possession; Possessory Remedies Why Recognized? Emerging Issues-Changing nature of Property; Capitalism, Communism and Socialism; Globalization; etc.</p> <p><b>UNIT-IV</b></p> <p>Persons- Definition ; Kinds of Person, Legal Status of Animals, Unborn Person, Dead Person, Idol etc.; Emerging Issues- State as Person, Human right violations and traditional concept of Person; Liability-Definition , nature and Kinds of Liability; Difference between Civil and Criminal Liability; Liability for Negligent acts; Exemptions from Liability; Emerging issues- Death Penalty, Quantum of Compensation, Liability for terrorist attacks, International crimes and Liability</p> <p><b>UNIT-V</b></p> <p>Property- Meaning, Kinds of Property; Modes of acquiring Property, State and Sovereignty, Definition; essential elements of State; Inter relationship between State and Law; criticism against absolute sovereignty Law and Administration of Justice Concept of justice; importance of Administration of Justice; Civil and Criminal justice; and Theories of Punishment and kinds or forms of Punishment.</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 , a critically understanding of major schools of legal theory which have influenced the development of present law</li><li>✓ To critically analyze the relationship between law and society from a variety of legal jurisprudential perspectives.</li></ul>
<b>Text Books</b>	<ol style="list-style-type: none"><li>1.. Salmond: Jurisprudence, Universal Publishers</li><li>2. Dr. N. V. Paranjape: Studies in Jurisprudence and Legal Theory</li></ol>
<b>Reference Books</b>	<ol style="list-style-type: none"><li>1. Allen : Law in the Making, Universal Publishers.</li><li>2 Mahajan V.D.: Legal Theory and Jurisprudence, Eastern Book Company, Lucknow</li></ol>





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<b>Course Title</b>	Law of Crimes-I(IPC)			
<b>Course Code</b>	BCOMLLB504			
<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 -1			
<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 the Indian Penal Code. Further, basic principles of criminal law determining criminal liability and punishment shall be dealt by this Paper</li></ul>			
<b>Course Contents</b>	<p><b>UNIT-I</b> Concept of Crime - Definition and Meaning of crime , Distinction between Crime and Tort ; Stages of crime - Intention, Preparation, Attempt and Commission of Crime; Elements of Crime - Actus Reus and Mensrea; Codification of Law of Crimes in India - Application of the Indian Penal Code Territorial and Extra Territorial application - General Explanations - Punishments.</p> <p><b>UNIT-II</b> General exceptions- Abetment, Criminal Conspiracy; Offences against the State; Offences against public peace and Tranquility</p> <p><b>UNIT-III</b>  Offences affecting human body (offences affecting human life) Culpable Homicide and Murder Hurt and Grievous Hurt Wrongful restraint and Wrongful confinement, Criminal force and Assault Kidnapping and abduction</p> <p><b>UNIT-IV</b> Offences Against Women- Rape, custodial rape, marital rape Prevention of immoral traffic, Prohibition of indecent</p>			



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	<p>representation of women ,Dowry Harassment , Dowry Death</p> <p><b>UNIT-V</b></p> <p>Offences affecting the public health, safety, convenience, decency and morals Unnatural offences, Offences against Property - Theft - Extortion - Robbery &amp; Dacoity - Cheating - Mischief - Criminal Trespass – Criminal Misappropriation and Criminal Breach of trust , Offences by or relating to Public Servants; False Evidence and Offences against Public Justice Offences relating to documents; Offences relating to Marriage - Cruelty by husband and relatives of husband, Defamation</p>
<b>Course Outcomes</b>	<p>After Completion of this course student will be able-</p> <ul style="list-style-type: none"><li>✓ To understand and demonstrate various provisions of Indian penal Code</li><li>✓ To apply the methods of controlling crimes and a explain a study of range of offences under Indian Penal Code</li></ul>
<b>Text Books</b>	<ol style="list-style-type: none"><li>1. Ratan Lal and Dhiraj Lal: Indian Penal Code, Wadhwa &amp; Co.,</li><li>2. Achutan Pillai: Criminal Law, Butterworth Co.,</li></ol> <p>Gour K.D.: Criminal Law - Cases and Materials, Butterworth</p>
<b>Reference Books</b>	<p>Kenny's: Outlines of Criminal Law.</p>



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(2020-21)

<b>Course Title</b>	Family Law II			
<b>Course Code</b>	BCOMLLB505			
<b>Course Credits</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>TC</b>
	3	1	-	4
<b>Prerequisites</b>	Introduction regarding family law-II			
<b>Course Objectives</b>	<ul style="list-style-type: none"><li>The knowledge of family laws is important for lawyers. This course is designed to endow the students with knowledge of both the codified and uncodified portions of Mohammedan Law. The course concerns itself with the sources, schools, institutions, marriage, succession, maintenance, menace of dowry, etc. In addition the students have to familiarize themselves with the provisions of the Indian Succession Act and Christian law</li></ul>			
<b>Course Contents</b>	<p><b>UNIT- I</b> Introduction- Development of Islamic Law: Advent of Islam &amp; development of Muslim Law, Schools of Muslim Law Sources of Islamic Law The <i>Shariat Act, 1937</i>:Concept of Marriage: Definition, object, nature</p> <p><b>UNIT- II</b> Muslim Marriage Essential requirements of a Muslim marriage, classification of marriage Legal effects of valid, void and irregular marriage Muta marriage; Customary practices and State regulation: Pre-emption</p> <p><b>UNIT- III</b> Guardianship and Succession; Child and Family: Legitimacy, Custody, maintenance and education, Guardianship and parental rights</p>			



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	<p><b>UNIT- IV</b></p> <p>Matrimonial Remedies Under Islamic Law and Indian Divorce Act, 1869(Amended Act) Nullity of marriage Bar to matrimonial relief; Divorce or Talaq: its types Alimony and Maintenance as an independent remedy; A review under Muslim law, Indian Divorce Act,1869, Provisions under the Criminal Procedure Code1973; Maintenance of divorced Muslim Women under the Muslim Women (Protection of Rights on Divorce)Act,1986</p> <p><b>UNIT-V</b></p> <p>Will and Inheritance: Meaning, definition and nature, Difference between will and gift, Will made in deathbed or during illness; Muslim law of Inheritance- Shia and Sunni schools; Distribution of property, Dower, Law of Gifts, Law of Wakf., Comparison and relation with Parsi law, Christian law, Indian Succession Act, Indian Divorce act.</p>
<b>Course Outcomes</b>	<p>After completion of this course student will be able-</p> <ul style="list-style-type: none"><li>✓ To understand Muslim Law in Depth</li><li>✓ To apply various provisions under Muslim Law and other Laws</li><li>✓ To demonstrate provisions of divorce, custody, maintenance under family law</li></ul>
<b>Text Books</b>	<ol style="list-style-type: none"><li>1. A.A.A Fyzee- Outline of Mohammedan Law.</li><li>2. Qazal Basha, yawer, Principles of Muslim Law, modern Law house</li><li>3. A.M Bhattacharjee-Muslim Law and Constitution, Easter Law House, Calcutta.</li><li>4. Purohit DR. Nishi ,The principles of Mohammedan Law, Orient publications.</li><li>5. Mulla- Mohammedan Law.Butterworthco.</li></ol>
<b>Reference Books</b>	<ol style="list-style-type: none"><li>1.Paras Diwan - Family Law. ,Allahabad Law Agency, Faridabad</li><li>2.kureshi, M.M- Muslim Law.</li><li>3.Myneni, S R, Muslim Law(other Muslim Law, Family Law II).</li><li>4.Hidayatulla, M, Principles of Mohammedan Law.</li></ol>