Shri Rawatpura Sarkar University, Raipur



Examination Scheme & Syllabus

for

B.COM.-L.L.B.

Semester-VI

(Effective from the session: 2020-21)



G	Name of	Daman	Th	Туре	Teaching hours per week				Examination Scheme				Tetel
S. N	Name of Subject	Paper Code	/P r	of Paper	L	Т	Р	ТС	Theory		Practical		Total Marks
				_					EX	IN	EX	IN	
1	Law of crimes-II	BCOML LB601	Th	Core	3	1		4	70	30			100
2	Enviornmental Law	BCOML LB602	Th	Core	3	1		4	70	30			100
3	Intellectual Property Right	BCOML LB603	Th	Core	3	1		4	70	30			100
4	Interpretation of Statue	BCOML LB604	Th	Core	3	1		4	70	30			100
5	Laws of evidence	BCOML LB605	Th	Core	3	1		4	70	30			100
	Total contact]	Total	Credit	: 20	G	rand T	Total Ma	arks:500				



Course Title	Law	Law of Crimes-II (CRPC)					
Course Code	BCOMLLB601						
Course	L	Т	Р	ТС			
Credits	3	1		4			
Prerequisites	Introductory knowledge on Law of Crimes-II						
Course objectives	• 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.						
COURSE CONTENTS	Prelin of C Perso the behav 128)I polic Juriso requi UNI Comj magi Sessi trials 271), Gene perso admi	Subsequent Process are geared up to make the Administration of Criminal System					



	as to bail and bonds, (Ss 436-450), Disposal of property, (Ss 451-459), Irregular						
	proceedings, (Ss 460-466), Limitation for taking cognizance of certain offences, (Ss 467-						
	473), Miscellaneous, (Ss 474-484), All Schedules are in course. All amendments made						
	from time to time.						
	UNIT-III						
	JUVENILE JUSTICE (CARE & PROTECTION OF CHILDREN) ACT, 2015						
	Preliminary and Definition of Juvenile etc under JJ(C & 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).						
	UNIT-IV						
	PROBATION OF OFFENDERS ACT, 1958						
	Probation of offenders Act, 1958 - Meaning and definition of Probation, its nature and						
	history. Admonition and Exemption from punishment below 21 years of age, Power of						
	probation officer and its duty under the Act (Ss 1-19)						
	UNIT- V						
	LEADING CASES:						
	(1) Gurubaksh Singh Sibba Vs. State of Punjab AIR 1980 SC 1632						
	(2) Rajpati Vs. Bechar AIR 1981 SC 19						
	(3) Suptd & Remmemberances of legal Affairs Vs. Anil Kumar AIR 1980 SC 52						
	(4) Anil Rai Vs. State of Bihar (2001) SCC 318(330)						
	• After completion of the course students will be able;-						
Course	• To understand Procedural Laws and Hireachy of Courts in India.						
outcomes	• To critically analyze the complex issues arising out of the provisions of Cr,P.C and apply the same in practice.						
T. (D. I.	• R. D. Agrawal- Criminal Procedure Code 1973 in English						
Text Books	• M.P Tandon;- Criminal Procedure Code 1973 in Hindi						
Reference Books	• D. D. Basu- Criminal Procedure Code 1973						



Course Title	Environmental Law						
Course Code	BCOMLLB602						
Course	L	Т	P	ТС			
Credits	3	1	-	4			
Prerequisites Introduction regarding Environmental law							
Course Objective	 Environmental law is a collective term describing international treat (conventions), statutes, regulations, and common law or national legislat (where applicable) that operates to regulate the interaction of humanity a the natural environment, toward the purpose of reducing the impacts human activity. The topic may be divided into two major subjects: pollut control and remediation and resource conservation individual exhausti 						
	Co pc Co TI Co pr Bo co	ollut onst he V omn even oard ontro	ept ion itut Vat nen ntio s(S ol o	meani ion as t er (Pre cement n and . 13-15 f Wate	Exercises And Pollution- Environment, meaning and concept, ing and effect, environmental pollution, Provisions of Indian o Environment. Exercises and control of pollution) Act, 1974- Application and (S.1), definition(S.2), the control and state Boards for control of water pollution(S.3-12), Constitution of joint), Powers and functions of Boards(S. 16-18), Prevention and r pollution(S. 19-33), Funds, Accounts and Audit (S. 34-40), pocedure (S. 41-50), Miscellaneous(S. 51-64).		
Course ContentsUNIT-IIThe Air (Prevention and control of pollution) Act, 1981- Preli 2), Central and State Boards for the Prevention and Control of (Ss. 3-15), Powers and Functions of Boards (Ss. 16-18), Prevent Air pollution (Ss. 19-31), Fund, Accounts and Audit (Ss. 32-36), Procedure (Ss. 37-46), Miscellaneous (47-54) Schedules. UNIT-III The Wild Life (Protection) Act, 1972 (No. 53 of 1972) - Prelim	 State Boards for the Prevention and Control of Air Pollution ers and Functions of Boards (Ss. 16-18), Prevention Control of s. 19-31), Fund, Accounts and Audit (Ss. 32-36), Penalties and 7-46), Miscellaneous (47-54) Schedules. (Protection) Act, 1972 (No. 53 of 1972) - Preliminary (Ss. 1- 						
	of ar 39	wil eas	d aı (Ss.), p	nimals(18-38)	o be appointed or constituted under the act (Ss. 3-8), Hunting Ss. 9-17), Sanctuaries, national parks game reserves and closed), Trade and commerce in wild animal articles and trophies (Ss. on and detection of offences (Ss. 50-58), Miscellaneous (Ss.		

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UNIT-IV								
Prevention of Cruelty to Animals Act, 1960- Preliminary (Ss. 1-3), Animal Welfare Board (Ss. 4-10), Cruelty to animals generally (Ss. 11-13) Experimentation on Animals (Ss. 14-20).								
UNIT-V								
Leading Cases-1-M.C. Mehta vs. Union of India, 1994 S.C.C. 750,2-Morena Mandal Sahkari Shakkar Karkhana Society vs. M.P. Board of Prevention of Water Pollution 1993 MPLJ 270.3-Santosh Kumar Gupta vs. Secretary Ministry of Environment New Delhi 1997 (2) MPLJ. 602.4-M.P. Rice Mill Association vs. State of M.P. 1999 (1) MPLJ 315								
• To equip students with a broadly based understanding of the operation of the Indian legal system and legal system of other countries.								
• To develop a comparative understanding of the different legal systems.								
• To foster an ability to interpret and use legal language.								
 To develop in students a critical awareness of the social, political and cultural context in which law operates and its international dimensions. To develop students' critical interest in reform of the law. 								
1. Trivedi R.K. & P.K. Goel- Science Publication).Introduction to Air Pollution (Techno								
2. Jadhav & Bhosle V.M Environmental Protection and Laws (Himalaya Publishing House, Delhi)								
3. Nagendra Singh - Environmental Law in India (1986)								
4. Suresh Jain - Environmental Law in India (1986)								
1. R.K. Trivedi - Hand Book of Environmental laws, Rules Guidelines Compliance and standard Vol. I & II.								
2. Dr. Anirudhha Prasad - Paryavaran ayam paryavarniya sanrakshan vidhiya								



Course Title	Intellectual property Act and IT Act 2000						
Course Code	BCOMLLB603						
Course Credits	L T P Detai l						
Prerequisites	Introduction regarding Intellectual property rights and IT Act						
Course Objectives	• .Intellectual Property is a legal concept which refers to creations of the mind for which exclusive rights are recognized. Under intellectual property law, owners are granted certain exclusive rights to a variety of intangible assets, such as musical, literary, and artisticworks; discoveries and inventions; and words, phrases, symbols, and designs. Common types of intellectual property rights include copyright, trademarks, patents, industrial design rights, trade dress, and in some jurisdictions trade secrets. As substantial users of intellectual property, institutions need to consider their compliance with the law when using other people's materials and inventions. Instilling respect for the rights of others in this regard continues to present challenges for institutions with large numbers of learners engaging with new technologies. This subject aims to provide students with knowledge and understanding of the nature and scope of protection Intellectual property rights in their legal, social and philosophical context. The subject aims to enable students to further their skills in the analysis of a range of primary and secondary legal materials, to apply their skills of legal research.						
Course Contents	UNIT-IIntroductionNatureBasicConceptsandInternationalConventionsNature and meaning of Intellectual property, need for protection of right of intellectual property. The types of intellectual property. The types of intellectual property and enhancement of area of I.P. History and introduction to the leading international intstrument concerning intellectual property rights i.e. WIPO (world intellected property organisation) and its paris convention on protection of industrial property (PIP) and patents co-operation treaty (PCT) The Berne (1971) and Rome convention (1961) on copy right. Universal copy right convention (UCC) of 1952, and neighbouring rights and madrid agreement on trade mark registration. The general agreement on tariffs and trade (GATT) and its creations, World trade organisation (WTO), Uruguay Round (April 1997) and its highly significant instrument "Trade Related intellectual property agreement" (TRIPS).						



UNIT-II

Copyrights its contents and forms & related act : Copyrights its history and definition, provisions of Copy-right act 1957 and copyrights (amedment) act 1994 which includes copyright its nature and meaning. Subject matter of copyright, forms of copyrights, ownership of copyrights assignment of copy rights. copyrights as an authors special rights. Notion and criteria of infringment, their definition and exception, proposition relating to infringement, authorisation of infringment, acts not constituting infringment, infringement of literary, dramatic, musical and artistic works, cimetographic films and sound recording.Remedies against infringment of copyright - nature and kind of remedies civil and criminal under Copyright Act sec. 55-57, 62, 63-70, slender of title Anton Piller order, international copyrights, copyright societies and copyright office, copyrights board, legislation of copyright and appeal

UNIT-III

Trade Marks & designs - their nature & related acts : Introduction definition evolution and concept of trade marks, Distriction between trade marks and property works, the doctrine of honest current user and doctrine of deceptive similarity, provisions of The trade mark act 1999, it includes definition and interpretation, condition for registration, trade mark registry. Property in a trademark, registration of trade mark, its refusal, Berne principles of registration of trade marks, its procedure and evidence. Marks, not registrable, effect and limit on effect. registered trade work, assignment and transmission of registered trade marks, use of trade mark and registered user, ractification and correction of the registration, collective marks, provisions relating to textile goods, offences, penalties and procedure, appellate board, its constitution, powers and duties and procedures and other miscellaneous provisions of the act, provisions of Design act 2000, it includes following chapter - definition, registration of design, copyright in registered design legal proceedings, general powers and duties of controller Evidence agency & powers of central government.

UNIT-IV

Patents its introduction grant, registration and patents act 1970 :

Provisions of Patents act 1970 which includes patents, its introduction concept and history, process of obtaining patents, specification, application for patents, examination of application, position to grant a patent, invention not patentable, register of patents and patent office, register and obligation of a patent. Transfer of patent right, Right of the Govt. in case of use of invention provisions for secracy of certain invention. Patents in addition, procedure for restoration of lapse palents. revocation and surrender of patients. Registeration of patents, patents office, its constitution, controller and its power, infringement of patents and treat of infringement proceedings of officers penalties for the Volation of act. licences .. of right, compulsory licences patent agent etc. and miscellaneous provision of the act.

UNIT-V

The Information Technology Act 2000 and Leading Cases

Provision of ITA 2000, it includes introduction, need, coverage, definition



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	digital signature, electronic record certifying authorities, electronic governance, their regulation, penalties, cyber regulation appellate tribunals under ITA act and following leading cases.Grama phone co. of India v. B.B. Pandey (AIR 1984 SC 667),2. Indian Performing Right Society Ltd. v. Eastern India Molion pictures association (AIR 1977 SC 1443).Monsanto Co. v. Caromandal Idag product (AIR 1986, SC 712).American House Product Corpn. v. Mac Laboratories (Pvt) Ltd. (AIR 1986 SC 137) (Dristan Case)
	After completion of this course student will be able to – To compare and contrast the different forms of intellectual property rights with special
Course	• Reference to Indian laws and its practices.
Outcomes	• To develop procedural knowledge to legal system and solving problems of intellectual
	• To understand different types of intellectual property rights and apply various provisions of it.
	1. Parvin Anand - The law of Intellactual Property (Batter Worth)
Text Books	2. Bibek Deb Roy - The Intellectual Property Rights (B.R. Publishing, New Delhi)
	3. Terrel - Law of Patents (Rajiv Gandhi Institute of Concept Studies)
Reference	1. The Trade Mark Act 1999
Books	2. The Copyright Act 1957.
	3. The Information Technology Act, 2000.



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SHRI RAWATPURA SARKAR UNIVERSITY, RAIPUR CHHATTISGARH School Of Law

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Course Title	Interpretation of statue law							
Course Code	BCOMLLB604							
Course	L T P TC							
Credits	3 1 - 4							
Prerequisites	Introduction regarding Interpretation of statue.law							
Course Objectives	• :Interpretation takes place whenever the meaning of a legal documen must be determined. Lawyers and judges search for meaning using various interpretive approaches and rules of construction. In constitutional and statutory law, legal interpretation can be a contentious issue.							
	UNIT-I							
	Principles and Legislation-Law Making - Legislature, Executive and Judiciary, Principle of Utility, Operation of these Principles upon Legislation, Distinction between Morals and Legislation.							
	INTERPRETATION OF STATUTES - Introduction, Meaning, Commencement, Operation and Repeal of Statutes, Purpose of Interpretation of Statutes Classification of Statutes.							
	UNIT-II							
	GENERAL PRINCIPLES OF INTERPRETATION - Primary Rules, Literal Rule, Golden Rule, Mischief Rule (Rule in the Hydon's Case) Rule of Harmonious Construction. Secondary Rules, Noscitur a Soclis, Ejusdem Generis, Reddendo Singula Singulis, Utres Magis Valeat Quam Pereat, Contemporanea Expositio est Fortissima in Lege.							
Course Contents	PRESUMPTIONS IN STATUTORY INTERPRETATION - Presumption as to Jurisdiction, Presumption Against inconvenient or Absurd, Presumption Against Intending Injustice, Presumption Against Impairing Obligations or Permitting from One's Own Wrong, Prospective Operation of Statutes.							
	UNIT-III							
	AIDS TO INTERPRETATION AND MAXIMS OF STATUTORY INTERPRETATION - Internal Aids and External Aids, MAXIMS - Delegates Non Potest Delegare, Expressio Unius Exclusio Alterius, Generalia Specialibus non Derogant, In Pari Delicto Potior Est Condition Possidentis,Utresvalet Potion Quam Pareat, Expressum Facit Cessare Tacitum, Jure Nature Sunt Immutabillia.							
	UNIT-IV							
	Interpretation with Reference to the Subject Matter and Purpose - Beneficial Construction, Strict Construction of Penal Statutes and Taxing Statutes, Construction and Interpretation of Welfare Legislation, Harmonious Costruction of the Statutes, Interpretation of Statutes in Pari Materia, Amending, Consolidating and Codifying Statutes, Mandatory and Directory Enactments and							



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	Conjunctive and Disjunctive Enactments.						
	UNIT-V						
	Principles of Constitutional Interpretation - Principles of Implied Powers, Incidental or Ancillary Power, Doctrine of Pith and Substance and Colourable Legislation, Principles of Implied Prohibition, Occupied Field and Territorial Nexus, Doctrine of Severability and Repugnancy and Doctrine of Eclipse and Ancillary Powers.Retrospective and Prospective Operation of Statutes.						
Course Outcomes	 After completion of this student will be able- To analyse and explain various laws and its interpretation To identify which law should be applied' To understand various meaning of the same terms used in legal system 						
Text Books	 Principles of Statutory Interpretation - G.P. Singh. Interpretation of Statutes and Legislation - M.P.Tondon and Rajesh Tondon. Statute Law - Craies. 						
Reference Books	 Interpretation of Statutes - V.P. Sarthi. Maxwell's Interpretation of Statute - N.M. Tripathi 						



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Course Title	LA	LAW OF EVIDENCE							
Course Code	BC	BCOMLLB605							
Course	L	Т	Р	ТС					
Credits	3	1		4					
Prerequisites	Abo	About Indian Evidence Act 1872.							
Course objectives		• The law of Evidence isan indispensable part of both substantive and procedural laws. It imparts credibility to the adjudicatory process by indicating the degree of veracity to be attributed to facts before forum.							
		IT– I [RO]		TION,	INTERPRETATION, CONCEPTIONS :				
	Introduction- Main feature of the Indian Evidence Act. Problem of Applicability of Evidence Act.								
	Types of Evidence - Oral, Written and Circumstantial evidence, Medical evidence and evidence of relatives, Eye witness, Chance witness and child witness and direct witnesses.								
	Standard of proof and presumption - May presume, shall presume, conclusive proof, proved, disproved and not proved								
Course Contents	UNIT-II RELEVANCY OF FACTS :								
	Doctrine of resgestae (Sec. 6, 7, 8, 10). Evidence of common intention (Sec. 10). The problem of relevancy of "otherwise" irrelevant facts (Sec. 11). Relevant facts for proof of custom (Sec. 13) Facts concerning body and mental state. (Sec. 14 & 15)								
	Adı	ADMISSION & CONFESSION (Sec 17 – 31): Admission - General principles concerning admission (Sec. 17 to 23)							
	adn	nissil	oility	of con	Ference between admission and confession, non fession caused by inducement, threat and promise and before a police officer, Admissibility of custodial				



confession and other section relevant to confession. (Sec. 24-31)

UNIT -III

DYING DECLARATION AND STATEMENT MADE UNDER SPECIAL CIRCUMSTANCE (Sec. 32 to 39)

Dying Declaration - The justification for relevance on dying declaration. The judicial standard for appreciation of evidentiary value of dying declaration (Sec. 32 & 33)

Statement made under special circumstance and how much of a statement is to be proved, (Sec. 34-39)

RELEVANCY OF JUDGEMENT, CHARACTER AND EXPERT TESTIMONY

Relevancy of judgement - General principles, Admissibility of judgement in civil and criminal matter. Fraud and collusion in obtaining judgement (Sec. 40-44).

Expert testimony - General Principles, Who is an expert ? Type of Expert evidence.

Opinion of relationship when relevant - specially proof of marriage and opinion as to the existence of right or custom or usage and tenancy and problem of judicial defence to expert testimony. (Sec. 45-51)

Relevancy of character in civil and criminal cases. (Sec. 52-55

UNIT- IV

ORAL AND DOCUMENTARY EVIDENCE:, PRESUMPTION AND EXCLUSION (Chapter IV, V & VI)

Oral Documents and how it is proved ? requirement for valid and admissible oral documents. (Sec. 59-60)

Documentary Evidence - General Principles, public and private documents, How it is proved ? (Sec. 61-78)

Presumption as to documents of various types and kinds. (Sec. 79-90).

Exclusion of oral by documentary evidence. (Sce. 91-99)



	(2020-21) THE BURDEN OF PROOF ESTOPPEL & WITNESSES:
	THE BURDEN OF PROOF, ESTOPPEL & WITNESSES: The burden of proof - Facts which need not be proved. (Sec. 56-58), General Conception of onus, General and Special presumption and exception as to onus, presumption as to dowry death etc. (Sec. 101-114A) Estoppel and witnesses - Estoppel by deed and estoppel by conduct, equitable and promissory estoppel. (Sec. 115-117). Various kinds of witness, communication - privileged and confidential Accomplice and information as to the commission of offences. (Sec. 118-134) EXAMINATION AND CROSS EXAMINATIONS: Examination of witnesses - General principles of examination, cross and re-examination, Leading questions (Sec. 141-143), Lawful question etc. Cross examination of witness - General Principles of cross examination, lawful questions in cross examination, (Sec. 141-146), Compulsion to answer questions put to witness, Hostile witness impeaching of the standing and or credit of witness (Sec. 135-166)
	 UNIT- V 1. Kashmira Singh vs. State of M.P., AIR 1952 SC 159. 2. State of Punjab vs. Sodhi Sukhdeo Singh, AIR 1961 SC 493 (Majority Judgment Only) 3. Kulvindar Kaur vs. State of Punjab, AIR 1952 SC 354 4. State of U.P. vs. Deoman Upadhyay, 1960 SC 1125
Course outcomes	 After completion of this course student will be able to learn and understand Various ways of production of evidence in the court of law. To determine admissibility of evidence produced in the court of law.
Text Books	 Ratanlal Dhirajlal- Law of Evidence, 21th Ed. 2004, PB, Wadhwa, Nagpur M.D. Chaturvedi- Evidence Act (in Hindi)
Reference	Avtar Singh- Evidence Act (in Hindi and English)