

**Shri Rawatpura Sarkar University,
Raipur**



**Examination Scheme & Syllabus
for
L.L.B.
Semester-VI**

(Effective from the session: 2019-20)



**Faculty of Law,
Shri Rawatpura Sarkar University, Raipur
L.L.B.**

**Semester-VI
Examination Scheme
(Effective from the session: 2019-20)**

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	BL501	Civil procedure code and Limitation act	Th	Core	3	1	-	4	70	30	-	-	100
2	BL502	Law of taxation	Th	Core	3	1	-	4	70	30	-	-	100
3	BL503	Intellectual property Act and It act 2000	Th	Core	3	1	-	4	70	30	-	-	100
4	BL504	Transfer of property act	Th	Core	3	1	-	4	70	30	-	-	100
5	BL505	Drafting pleading conveyancing	Th	Core	3	1	-	4	70	30	-	-	100
Total contact hrs. per week					40				Total Credit: 20		Grand Total Marks: 500		



L.L.B
Semester-VI
2019-20

Course Title	Civil Procedure code and Limitation Act				
Course Code	BL501				
Course Credits	L	T	P	TC	
	3	1	-	4	
Prerequisites	Introduction on Civil Procedure code and Limitation act				
Course Objectives	<ul style="list-style-type: none"> Study of procedural law is important for a Law student. This course is designed to acquaint the students with the various stages through which a civil case passes through, and the connected matters. The course also includes law of limitation. The course teacher shall endeavor to familiarize the students with the case papers (like complaints, written statements, Interlocutory applications, etc.) involved in civil cases and touch upon the provisions of Evidence Act wherever necessary. 				
Course Contents.	<p>UNIT-I</p> <p>Civil Procedure code:- Historical Development, Definitions, Abadi, Agriculture, Agriculture Year, Bonafide Agriculturist, Board, Co-operative Society, Government, Forest, Government Lessee, Holding. Improvement, Land, Landless Person, Land Records, Legal Practitioner, Mango Grove, Orchard, Recognized Agent, Rent, Revision, Revenue Officer, Revenue Year, Sub-Division of Survey Number, Tenant, Tenure Holder, Timber Tree, Urban Area, Unoccupied Land, Village, To Cultivate Personally, Survey Number</p> <p>UNIT-II</p> <p>Parties to Suits, Plaintiff and Defendants, Representative Suit, Joinder, Misjoinder and non-joinder, (Order - I Rules 1-13), Frame of Suit, Recognised Agents and Pleader, Institution of Suits, Issue and Service of Summons (Order II - V), Pleading Generally, Complaint, Written-Statement, Set-off and Counter-Claim (Order VI-VIII), Appearance of Parties and Consequences of non-appearance, dismissal of suits and ex-parte Decree and Order, Examination of Parties by the Court, Discovery and Inspection, Admission, (Order IX-XII), Settlement of Issues and Determination thereof, Summary Disposal, Summoning Attendance and Examination of Witnesses, Adjournment of Hearing and Affidavit (Order XIV-XIX).</p> <p>UNIT-III</p> <p>Land Records, Boundaries And Boundary Marks and Survey Marks, Tenure Holders, Government Lessee and Service Land, Occupancy Tenants, Alluvial and Dilluvian, Consolidation of Holding, Village-Officers, Rights in Abadi and Unoccupied Land and its Produce.</p> <p>UNIT-IV</p> <p>Leases of immovable property Definition, Essential Elements of Leases, Modes of Leases, Rights and Liabilities of Lessor and Lessee, Doctrine of Waiver, Determination of Lease and Other Related Provisions (Ss 105-117), Exchanges</p>				



L.L.B
Semester-VI
2019-20

	<p>(Ss 118-121), Gift (Ss 122-129), Transfer of Actionable Claims (Ss 130-137).</p> <p>UNIT-V</p> <p>Leading Cases -P.G.H. Patil Vs. R.S. Patil and others AIR 1957, SC 363.,M.P. Shrivastava Vs. Mrs. Veena AIR 1967, SC 1193,. Kiran Singh & Others Vs. Chaman Paswan and others AIR 1954, SC 340,State Vs. Administrator AIR 1972, SC 749,Hindustan Auaeronautics Vs. Ajit Prasad AIR 1973, SC 76</p>
Course Outcomes	<ul style="list-style-type: none">• After studying this subject students will have:_• Sound knowledge of civil procedural laws which are provided in civil procedure code 1908.• Acquire knowledge regarding trial of civil suits Acquire knowledge regarding order and suits• Also they will acquire knowledge relating to law of limitation which is provided under limitation act 1963.
Text Books	<ol style="list-style-type: none">1. Civil Procedure Code - Mulla2. Civil Procedure Code - Viswanath Iyer3. Code of Civil Procedure - P.K. Majumdar
Reference Books	<ol style="list-style-type: none">1. Civil Procedure Code - M.P. Jain2. Law of Limitation & Prescription - U.N. Mitra3. Law of Limitation - Dr. N.M. Swami4. Limitation Act – Sarkar.



L.L.B
Semester-VI
2019-20

Course Title	Law of Taxation			
Course Code	BL502			
Course Credits	L	T	P	TC
	3	1	-	4
Prerequisites	Introduction regrading Law of Taxation			
Course Objective	<ul style="list-style-type: none"> The present law of income tax is contained in the Income Tax Act, 1961 And The Income Tax Rules, 1962 as amended up-to-date. It extends to the whole of India and came into force on 1st April 1962. Though Income tax is a central levy, its net proceeds are shared between both the Centre and the states except that any surcharge on income tax levied for the purpose of the Union accrues wholly to the Central Government, and is excluded from the divisible pool. Income tax plays an important role in the national economy and is also a valuable toll for achieving the socio-economic objectives. The subject covers the rules, policies and laws that oversee the tax process, which involves charges on estates, transactions, property, income, licenses and more by the government. The concerned subject also includes duties on imports from foreign countries and all compulsory levies imposed by the government upon individuals for benefit of the state. 			
Course Contents	<p>UNIT-I GENERAL INTRODUCTION:Historical Perspective, Historical Development of Tax Laws in India, Concepts of tax, Nature & characteristics of taxes, Distinction between tax & fee, tax, & cost, Distinction between Direct & Indirect tax</p> <p>UNIT-II INCOME TAX ACT, 1961: Preliminary – Short Title, Extent and Commencement, Definitions, Previous Year Defined (Sec. 1-3) - Basis of charges of Income Tax: Residential status of assesses – its impact on tax liability (Sec. 4-9) Incomes which do not form part of total income (Sec. 10-13)</p> <p>UNIT-III Computation of Total Income (Heads of income) Salaries, Income from House Property, Profits and Gains of Business or Profession, Capital Gains and Income from Other Sources – general concepts – chargeability to tax – admissible & inadmissible deductions, exclusions and deductions from income (Sec. 14-59) Income of other persons included in assessee's Total Income (Sec. 60-65), Aggregation of Income and set-off and carry forward of losses (Sec. 66-80) Deductions to be made in computing total income, Deductions in respect of certain Payments and certain incomes and other deductions, Rebate of Income Tax and Relief for Income Tax (Sec. 80A-89),</p> <p>UNIT-IV Income tax authorities- Appointment and Control, Jurisdiction, powers & functions, Disclosure of Information (Sec. 116-138), Procedure for Assessment (Sec. 139-158), Collection and Recovery of Tax- Deduction at source and Collection at source, Advance payment of tax, Collection and Recovery, Interest Chargeable in some cases</p>			



L.L.B
Semester-VI
2019-20

	<p>and Refunds,(Sec. 190-245)Allotment of permanent account number, Settlement of Cases-Appeals and Revision, Appeals to the Appellate Tribunal, Reference to High Court, Appeals to High Court, Appeals to the Supreme Court, Revision and reference(Sec. 245A-269) Penalties Imposable(Sec. 270-275) Offences and Prosecutions-Penalties and prosecutions under income tax act, 1961 for non-compliance, contravention, avoidance and evasion of tax(Sec. 275A-280)</p> <p>UNIT-V</p> <p>LEADING CASES:Commissioner of Income Tax Vs. Anwar Ali AIR 1970 SC 1982Calcutta Discount Co. Ltd. Vs. Income Tax Officer,(1961)41 ITR 191(SC) Reopening of Assessment Section-147(9)Dwarka Das Keshardeo Morarka Vs. Commissioner of Income Tax(1962)42 ITR 529 On law of Estoppel in TaxationJute Corporation of India Vs. CIT, AIR 1991 SC 341</p>
Course Outcomes	<ul style="list-style-type: none">• By the end of the course students will be able to describe existing tax regime of the country.• Also they will acquire knowledge relating to heads of income tax and deductions available against such income.• Also students will acquire knowledge relating to tax assessment procedures and penalties under income tax act 1961.• Also they acquire knowledge relating to some indirect taxes such as GST, Sales tax and VAT.
Text Books	<ol style="list-style-type: none">1. A.K. Saxena Income Tax Act2. Kailash Rai Income Tax Act
Reference Books	<ol style="list-style-type: none">1. V.K. Shusha Kumari - Law of Income Tax2. B.L. Babel -Pratyaksh Kar Vidhayan, Aparadh, Abhiyojan Evam Shastiyam



L.L.B
Semester-VI
2019-20

Course Title	Intellectual property Act and IT Act 2000			
Course Code	BL503			
Course Credits	L	T	P	Detail
	3	1		4
Prerequisites	Introduction regarding Intellectual property rights and IT Act			
Course Objectives	<ul style="list-style-type: none"> • .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 artistic works; 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 Law provides to the "products" of a person's creativity, innovation and endeavor. Students are encouraged to consider the 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 knowledge to hypothetical problem questions and to develop and apply their skills of legal research. 			
Course Contents	<p>UNIT-I</p> <p>Introduction Nature Basic Concepts and International Conventions</p> <p>Nature 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 instrument concerning intellectual property rights i.e. WIPO (world intellectual 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).</p> <p>UNIT-II</p> <p>Copyrights its contents and forms & related act : Copyrights its history and definition, provisions of Copy-right act 1957 and copyrights (amedment) act</p>			



L.L.B
Semester-VI
2019-20

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 infringement, their definition and exception, proposition relating to infringement, authorisation of infringement, acts not constituting infringement, infringement of literary, dramatic, musical and artistic works, cinematographic films and sound recording. Remedies against infringement 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, copyrights 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, Distinction 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 trade-mark, 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, rectification 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 secrecy of certain invention. Patents in addition, procedure for restoration of lapse patents. revocation and surrender of patents. Registration of patents, patents office, its constitution, controller and its power, infringement of patents and treat of infringement proceedings of officers penalties for the Violation 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 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 Motion pictures association (AIR 1977 SC 1443). Monsanto Co. v. Caromandal Idag



L.L.B
Semester-VI
2019-20

	product (AIR 1986, SC 712).American House Product Corpn. v. Mac Laboratories (Pvt) Ltd. (AIR 1986 SC 137) (Dristan Case)
Course Outcomes	<p>After completion of this course student will be able to – To compare and contrast the different forms of intellectual property rights with special</p> <ul style="list-style-type: none">• Reference to Indian laws and its practices.• 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.
Text Books	<ol style="list-style-type: none">1. Parvin Anand - The law of Intellactual Property (Batter Worth)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 Books	<ol style="list-style-type: none">1. The Trade Mark Act 19992. The Copyright Act 1957.3. The Information Technology Act, 2000.



L.L.B
Semester-VI
2019-20

Course Title	Transfer of Property Act				
Course Code	BL504				
Course Credits	L	T	P	TC	
	3	1	-	4	
Prerequisites	Introduction regarding Transfer of Property act				
Course Objectives	<ul style="list-style-type: none">• The focus of this course is on the study of the concept of 'Property', the 'nature of property rights' and the general principles governing the transfer of property. A detailed study of the substantive law relating to particular transfers, such as sale, mortgage, lease, exchange, gift and actionable claims will also be undertaken				



L.L.B
Semester-VI
2019-20

Course Contents	<p>UNIT-I</p> <p>Historical evolution of Law of property, Introduction, Short title, Commencement, Repeal of Acts, Interpretation Clause (Ss 1-3), Transfer of Property by act of Parties - Definition of Property, Rule of Transferability, Persons Competent to Transfer, Operation of Transfer and Oral Transfer (Ss 5-9), Condition Restraining Alienation, Restriction Repugnant to Interest, Condition Making Interest Determinable on Insolvency or Attempted Alienation (Ss 10-12), Transfer for the Benefit of Unborn Person, Rule against Perpetuity etc. (Ss 13-18), Vested interest and Contingent Interest (Ss 19-24), Conditional Transfer, Doctrine of Acceleration, Doctrine of Conditional Limitation (Ss 25-34), Doctrine of Election (Ss 35-37), Transfer of Immovable Property (Ss 38-53-A).</p> <p>UNIT-II</p> <p>Sale of immovable property : Definition, Competency of Parties, Difference between Sale and Agreement to Sale, Rights and Liabilities of buyer and Seller (Ss 54-57), Mortgages charges of immovable (Ss 58), Property, Definition, Kinds of Mortgages, Obligation to transfer to third party instead of Mortgagor, Rights and Liabilities of Mortgager (Ss 58-66), Rights and Liabilities of Mortgagee (Ss 67-77), Other Provisions Related to Mortgage including charges (Ss 78-104)</p> <p>UNIT-III</p> <p>Leases of immovable property Definition, Essential Elements of Leases, Modes of Leases, Rights and Liabilities of Lessor and Lessee, Doctrine of Waiver, Determination of Lease and Other Related Provisions (Ss 105-117), Exchanges (Ss 118-121), Gift (Ss 122-129), Transfer of Actionable Claims (Ss 130-137).</p> <p>UNIT-IV</p> <p>Indian Easement Act, 1882 :- Introduction (Ss 1-3), Easement in General (Ss 4-7), Imposition, Acquisition and Transfer of Easements (Ss 8-19), Incidents of Easement (Ss 20-21), Disturbance of Easement (Ss 32-36), Extinguishment, Suspension and revival of easements (Ss 37-51), Licenses, Definition, Ingredients and Revocation of Licenses (Ss 52-64)</p> <p>UNIT-V</p> <p>Leading Cases :Nainsukhdas Shivnarayan Vs. Goverdhan das AIR 1948, Nagpur 110.Associated Hotel of India Vs. R.N. Kapoor AIR 1962, SC 1262.Jama Masjid Vs. Koci Manindra Deviah and other, AIR 1962, SC 807.Kedarnath Vs. Shivnarayan AIR 1970, SC 1717.Kanji Manji Vs. Trustees of Port of Bombay AIR 1963, SC 268.</p>
Course Outcomes	<ul style="list-style-type: none"> • To analyze laws and legal concepts relating to Transfer of Property • To deal with property law conventionally deals with the Transfer of Property Act, 1882, which mainly governs the transfer of property between two living persons
Text Books	<p>1.Transfer of Property Act - Mulla</p> <p>2.Sampatti Antarān Adhīniyam - G.P. Tripathi</p>



L.L.B
Semester-VI
2019-20

	3.Sampati Antaran Adhinyam - S.N. Shukla
Reference Books	<ol style="list-style-type: none">1. Transfer of Property Act 1882 - S.N. Shukla2. Law of Easement - S.T. Desai3. Transfer of Property Act, 1882 - G.P. Tripathi



L.L.B
Semester-VI
2019-20

Course Title	Drafting pleading conveyancing				
Course Code	BL505				
Course Credits	L	T	P	TC	
	3	1	-	4	
Prerequisites	Introduction regarding Drafting pleading conveyancing				
Course Objectives	<ul style="list-style-type: none"> The students should be trained in drafting of pleadings and conveyances and other essential documents. The skill of drafting can be acquired and sharpened by undertaking the exercises under the supervision of an expert in the field. The course aims at equipping the students with drafting skills. Without sound ethics and the enforcement of proper ethical conduct, people would lose confidence in the court and judicial process to perilous effect. 				
Course Contents	<p>UNIT-I</p> <p>Pleading: (i) Civil: General Principles of Pleadings with Special Reference to the Following :- Complaint and written statement with reference to the suits mentioned below :- (a) Money Suit, (b) Ejectment Suit, (c) Injunction, (d) Interlocutory application under the provisions of C.P.C. (e) Suits under Hindu Marriage Act, 1955 (f) Suits for Specific Performance of Contract (g) Original Petition (h) Affidavit (i) Execution Petition (j) Memorandum of Appeal and Revision (k) Petition under Articles 226 and 32 of the Constitution of India.</p> <p>UNIT-II</p> <p>Criminal: - Criminal Pleadings with respect to the following: - (a) Drafting of First Information Report (FIR U/S 154, Cr.P.C.) (b) Drafting of Challan /Chargesheet (under section 173, Cr.P.C.) (c) Drafting of Charge by the Court (d) Complaints for Commission of offences u/s 294, 323/324, 325, 341, 352 and 506 of the Indian Penal Code. (e) Criminal Miscellaneous Petition. Interlocutory Application.</p> <p>UNIT-III</p> <p>(a) Drafting of Bail Application u/s 436 and 437 of Cr.P.C. (b) Drafting of Anticipatory Bail Application u/s 438, Cr.P.C. (c) Drafting of Cancellation of bail application u/s 439 (i) and (ii) of Cr.P.C. (d) Maintenance application u/s 125-128, Cr.P.C. (e) Memorandum of Appeal and Revision.</p> <p>UNIT-IV</p> <p>Conveyancing : General Principles of Conveyancing with special reference to the following :- (a) Sale Deed (b) Mortgage Deed (c) Lease Deed (d) Exchange Deed (e) Gift Deed (f) Will Deed (g) General Power of Attorney (h) Promissory Note</p> <p>UNIT-V</p> <p>(a) C.G. High Court Rules and Orders (Civil), (b) C.G. High Court Rules and Orders (Criminal)</p>				



L.L.B
Semester-VI
2019-20

Course Outcomes	<p>After completion of course students will be able to draft documents such as plaints, written statement, legal notices, petitions etc.</p> <ul style="list-style-type: none">• In addition they also acquire knowledge of drafting writ petitions and conveyance deeds.
Text Books.	<ol style="list-style-type: none">1. Mogha's - Pleading2. Mogha's - Conveyancing3. N.S. Bindra - Pleading and Practice
Reference Books	<ol style="list-style-type: none">1. Murl Manohar - Art of Conveyancing and Pleading2. Shiv Gopal - Conveyancing, Precedents & Forms.3. A.K. Banerjee and S.k. Awasthi – Guide to Drafting.