

# **CURRICULUM AND SYLLABI**

**(3rd Semester)**

**B.B.A.LL.B. (Hons.)  
(Integrated Law degree course)**

## **SCHOOL OF LAW**



**RAFFLES**  

---

**UNIVERSITY**

Japanese Zone, National Highway 48 Neemrana, Rajasthan 301020

[www.rafflesuniversity.edu.in](http://www.rafflesuniversity.edu.in)

# **CONSTITUTIONAL LAW – I**

## **BBL 301**

### **INTRODUCTION TO THE COURSE**

**Constitutional law** is the body of law that defines the relationship of different entities within a state, namely, the executive, the legislature, and the judiciary. The constitution is the basis from which the Indian legal system has evolved. The students of law should have a sound knowledge of the constitution. As the Constitution is the foundation of the Indian democratic system, constitutional law deals with some of the fundamental relationships within our society. This includes relationships among the states, the states and the union government, the three branches (executive, legislative, judicial) of the union government, and the rights of the individual in relation to both union and state government.

### **COURSE OBJECTIVES**

The objective of this course is to:

1. Constitutional shall be studied plainly based on the provisions in terms of interpretations of the Court.
2. Detailed planning provided with alternative methods
3. Provide and interpreted by the judiciary
4. Analyse the provisions of the constitution critically

### **COURSE OUTCOMES**

The students will be able to;

1. Identify the various dimensions of the constitutional law
2. Understand the process of Executive, legislative and judicial mechanisms under the constitution
3. Enumerate the constitutional remedies available.
4. Apply the real spirit of distribution of power

### **TEACHING METHODOLOGY**

A Dialectic system of learning would provide a better appreciation of the constitutional governance in India through classroom debate and moot court exercises after the basic issues are identified by lecture and discussion. Research of issue-based conflict of interest through court cases may be an added advantage.

As per the norms of the University for this Course, there will be 6 classes per week. Clinical and tutorial forms of learning should be followed. The teaching methodology will include Lectures-cum-discussion, Assignments, Projects and Presentations.

### **EVALUATION SCHEME**

- Continuous Assessment-20%
- Mid-Term- 20%
- End Term- 60%

### **COURSE OUTLINE**

<b>Unit-I</b> <b>Introduction</b>	<b>Credit 6</b> <b>(Hours 60)</b>
--------------------------------------	--------------------------------------

- Definition of Constitution and Classification; Constitutionalism and Constitutional Morality
- Making of the Indian Constitution
- Aims and Objectives
- Basic features of the Indian Constitution
- Nature of the Indian Constitution: Federal, Unitary, Quasi-federal; Cooperative and Competitive Federalism

#### **Leading Case Laws:**

1. *Rai Sahib Ram Jawaya Kapur v. State of Punjab* AIR 1955 SC 549
2. *State of West Bengal v. Union of India* AIR 1963 SC 1241
3. *Kesavananda Bharati v. State of Kerala* (1973) 4 SCC 225
4. *S. R. Bommai v. Union of India* (1994) 3 SCC 1
5. *State of Haryana v. State of Punjab* (2002) 2 SCC 507
6. *Rameshwar Prasad and Ors. v. Union of India and Anr.* (2006) 2 SCC 1
7. *Kuldip Nayar v. Union of India* (2006) 7 SCC 1
8. *I.R. Coelho v. State of Tamil Nadu* (2007) 2 SCC 1
9. *Arvind Kejriwal v. Union of India* 2014
10. *Union of India & Anr. v. M/s Mohit Minerals Pvt. Ltd. Through Director* 2022

<b>Unit-II</b> <b>Constitutional Organs</b>
--

- **Legislature:**
- Parliament and State Legislatures
  - Composition of Parliament and State legislatures
  - Qualification and Disqualification of Members
  - Legislative Procedure, power and Privileges

- **Executive:** Power of President and Governor
- **Union and State Judiciary:** Composition, Appointment and Removal of Judges
- Jurisdiction of Supreme Court and High Court
- Independent Judiciary National Judicial Appointment Commission

### Leading Case Laws

1. *S.P. Anand v. H.D. Deve Gowda*, (1996) 6 SCC 734
2. *B. R. Kapur v. State of Tamil Nadu* (2001) 7 SCC 231
3. *Lily Thomas v. Union of India* (2013) 7 SCC 653.
4. *Lok Prahari (through General Secretary SN Shukla) v. Election Commission of India* (2018) 18 SCC 114
5. *Special Reference No. 1 (Re Gujarat Assembly Election Matter)* (2002) 8 SCC 237 127
6. *Anil Kumar Jha v. Union of India* (2005) 3 SCC 150
7. *Jaya Bachchan v. Union of India* (2006) 5 SCC 266
8. *Consumer Education and Research Society v. Union of India & Ors.* (2009) 9 SCC 648
9. *In re Keshav Singh* AIR 1965 SC 745
10. *Raja Ram Pal v. Hon'ble Speaker, Lok Sabha* (2007) 3 SCC 184
11. *Ram Jawaya Kapoor v. State of Punjab*, AIR 1955 SC 549.
12. *Jayantilal Amritlal Shodhan v. F.N. Rana and Ors*, AIR 1964 SC
13. *Smt. Jaikumari v. State of Maharashtra*, AIR 2009 Bom.
14. *Poonam Verma v. Delhi Development Authority*, AIR 2008 SC
15. *Indian Medical Association v. Union of India*, AIR 2011 SC
16. *D. C. Wadhwa v. the State of Bihar* (1987) 1 SCC 378 159
17. *R.C. Copper v. Union of India*, AIR 1970 SC 564.
18. *A. K. Roy v. Union of India* (1982) 1 SCC 271
19. *Krishna Kumar Singh v. the State of Bihar* (2017) 3 SCC 1
20. *Union of India v. Sankalchand Himatlal Sheth* (1997) 4 SCC 193
21. *S. P. Gupta v. President of India* (1981) Supp SCC 87
22. *S.C. Advocates on Record Association v. UOI* (1993) 4 SCC 441
23. *In re Special Reference No. 1 of 1998* (1998) 7 SCC 739
24. *S.C. Adv. on Record Association v. Union of India* (2016) 5 SCC 1 213
25. *Shanti Bhushan v. Supreme Court of India through its Registrar* (2018) 8 SCC 396
26. *Mohd. Arif v. The Reg. Supreme Court of India* (2014) 9 SCC 737
27. *Madras Bar Association v. Union of India* (2014) 10 SCC 1
28. *Rupa Ashok Hurra v. Ashok Hurra* (2002) 4 SCC 388

## Unit-III

### Distribution of Legislative Powers:

- Distribution with respect to territory: Doctrine of Territorial Nexus
- Distribution with respect to the subject matter.
- Interpretation of legislative lists:
  - ✓ Territorial Nexus
  - ✓ Harmonious Construction
  - ✓ Pith and Substance

- ✓ Colorable Legislation
- ✓ Residuary Power of Legislation
- ✓ Doctrine of Repugnancy

### **Leading Case Laws**

1. *In Re C P & Berar Sales of Motor Spirit & Lubricants Taxation Act, 1938* AIR 1939 FC 1
2. *Gujarat University v. Krishna Ranganath Mudholkar* AIR 1963 SC 703
3. *Prafulla Kumar v. Bank of Commerce, Khulna* AIR 1947 PC 60
4. *State of Rajasthan v. G. Chawla* AIR 1959 SC 544
5. *State of Karnataka v. Drive-in Enterprises* (2001) 4 SCC 60
6. *K.C. Gajapati Narayan Deo v. State of Orissa* AIR 1953 SC 375
7. *Union of India v. H. S. Dhillon* (1971) 2 SCC 779
8. *Zaverbhai v. State of Bombay* AIR 1954 SC 752
9. *Hoechst Pharmaceuticals Ltd. v. State of Bihar* (1983) 4 SCC 45
10. *Vijay Kr Sharma v. State of Karnataka* (1990) 2 SCC 562
11. *State of Kerala v. Mar Appraem Kuri Company Ltd.* (2012) 7 SCC 106

## **Unit-IV**

### **Emergency Provisions**

#### **Emergency Provisions:**

- Origin and concept of Emergency
- Types of Emergency in the Indian Constitution
- National Emergency
- State Emergency
- Financial Emergency
- Effects of Proclamation of Emergency
- Emergency and Fundamental Rights

#### **List of Cases**

1. *Indira Nehru Gandhi v. Shri Raj Narain & Anr*, AIR 1975 SC 2299
2. *Kesavananda Bharati v. State of Kerala*, AIR 1973 SC 1461
3. *State of Rajasthan & Ors v. Union of India*, AIR 1977 SC 1361
4. *S. R. Bommai V. Union of India*, AIR 1994 SC 1918
5. *A.D.M Jabalpur v. Shiv Kant Shukla*, AIR 1976 SC 1207
6. *Minerva Mills Ltd v. Union of India*, (1980) 3 SCC 625.
7. *Ghulam Sarwar v. Union of India*, AIR 1967 SC 1335.
8. *Bijayanand Patnaik And Ors. v. President Of India And Ors.* AIR 1974 Ori 52
9. *Makhan Singh v. State of Punjab*, AIR 1964 SC 381
10. *Maharashtra State v. Prabhakar*, AIR 1966 SC 424
11. *Ghulam Sarwar v. Union of India*, AIR 1967 SC 1335

12. *Rameshwar Prasad v. Union of India*, (2006) 2 SCC 1

## Unit-V

### Judicial Review and Constitutional Amendment

- Judicial Review: Nature and Scope
- Amendment to the Constitution: Methods of Constitutional Amendment
- Limitation Upon Constituent Power-Doctrine of Basic Structure
- Judicial Activism and Judicial Restraint

#### List of Cases

1. *Marbury v. Madison* (1803)
2. *A.K.Gopalan v. State of Madras* AIR 1950 SC 27
3. *Shankari Prasad v. Union of India*, AIR 1951 SC 458.
4. *Sajjan Singh v. State of Rajasthan*, AIR 1965 SC 845.
5. *I.C. Golak Nath and Ors. v. State of Punjab and Anr.*, AIR 1967 SC 1643.
6. *Kesavananda Bharati v. State of Kerala*, AIR 1973 SC 1461
7. *Indira Nehru Gandhi v. Raj Narain*, 1975 Supp SCC 1.
8. *Minerva Mills v. Union of India*, AIR 1980 SC 1789.
9. *Sanjeev Coke Mfg. Co. v. Bharat Coking Coal Ltd.*, (1983) 1 SCC 147.
10. *I.R. Coelho (Dead) By Lrs v. State of Tamil Nadu & Ors.* AIR 2007 SC 8617
11. *L. Chaiadra Kumar v. Union of India*, (1997) 3SCC261
12. *S.P. Sampath Kumar v. Union of India*, (1987) 1 SCC 124
13. *Kerela Bar Hotels Association v. State of Kerela* AIR 2016 SC 163

#### Suggested Readings

1. Durga Das Basu: Introduction to the Constitution of India, LexisNexis India.
2. Durga Das Basu: Shorter Constitution of India, Prentice-Hall of India, New Delhi.
3. Shibanikinkar Chaube: Constituent Assembly of India, Manohar Publishers & Distributors, New Delhi.
4. J. N. Pandey: Constitutional Law of India, Central Law Agency, Allahabad.
5. M.C. Jain Kagzi: The Constitutional of India, India Law House, New Delhi.
6. Arthur Berriedale Keith: A Constitutional History of India 1600-1935, Methuen & Co. Ltd., London.
7. M. P. Jain: Indian Constitutional Law, LexisNexis India.
8. Prof. M. P. Singh V.N. Shukla's Constitution of India Eastern Book Company, Lucknow.
9. M. V. Pylee Constitutional Amendments in India, S. Chand & Company, New Delhi.
10. M. V.V. Ramana Inter-State River Water Disputes in India, Orient Longman, New Delhi.
11. H. M. Seervi: Constitutional Law of India, N.M. Tripathi, Bombay.
12. Jagdish Swarup: Constitution of India, Modern Publications, New Delhi.

# **LAW OF CONTRACT – II (LOC-II)**

## **BBL 302**

### **INTRODUCTION OF THE COURSE**

In the society wherein all major ventures are getting corporatized, a law student should acquaint himself with the knowledge of special contracts apart from equipping himself with general principles of contract. This law is contained in several legislations apart from the Indian Contract Act. This course equips the students to better appreciate the legal services required in a corporate office so that he can enhance his relevance as a lawyer in society. Law relating to Sales of Goods deals with the sale transactions of moveable property, formation of sale contracts, rights and duties of vendor and vendee, terms of contract etc. Law of Partnership deals with the formation of partnership firms, duties and liabilities of incoming and outgoing partners etc.

### **Course Objective**

This course has the following objectives:

1. To study a law related to acquaint himself with the knowledge of special contracts.
2. To provide several legislations apart from the Indian Contract Act.
3. To Discuss the legal provisions required in a corporate office so that he can enhance his relevance as a lawyer in society.
4. Law relating to Sales of Goods deals with the sale transactions of moveable property, formation of sale contracts, rights and duties of vendor and vendee, terms of contract etc. Law of Partnership deals with the formation of partnership firms, duties and liabilities of incoming and outgoing partners etc.

### **Course Outcomes**

The students shall be able to:

1. Understand the list and define the specific contracts.
2. know the explanation of why specific contracts are important to our legal and economic system.
3. Analyse how sale transactions of moveable property take place.
4. They will find out how partnership firms are formed, the duties and liabilities of the partners in a partnership firm.

## **COURSE OUTLINE:**

### **UNIT-I** **Credit 6** **INDEMNITY, GUARANTEE, BAILMENT AND PLEDGE** **(Hours 60)**

- **Contract of Indemnity**

1. Documents/Agreements of Indemnity - Definition, Nature and
2. Scope and Rights of indemnity holder
3. Commencement of the indemnifier's liability

- **Contract of Guarantee**

1. Definition, Nature and Scope Difference between the contract of indemnity and Guarantee
2. Rights of surety
3. Discharge of Surety
4. Extent of Surety's liability
5. Co-surety.

- **Contract of Bailment**

1. Definition – Kinds – Duties of Bailer and Bailee –
2. Rights of Finder of goods as Bailee Liability towards true owner
3. Rights to dispose of the goods.

- **Contract of pledge**

1. Definition
2. Comparison with Bailment
3. Rights and duties of Pawnor and Pawnee

#### **Case Studies:**

1. New India Assurance Company Ltd. v. Kusumanchi Kamleshwar Rao and another 1997 (9) SCC 179
2. United India Insurance Company v. M/s. Aman Singh Munshilal A.I.R. 1994 P. &h. 206
3. Secretary of State v. The Bank Of India Ltd., A.I.R. 1938 P.C. 191.
4. Sham Sunder v. Chandu La, AIR 1935, Lahore 974
5. Gajanan Moreshwar v. Moreshwar Madan, A.I.R. 1942 Bom, 302, at 304.



6. Oriental Fire and General Insurance Co. Ltd. v. Murlidhar Gopikissen Pvt. Ltd. AIR 1985 Cal 301: 1985 Arbi LR 387
7. Nagpur N.S. Bank v. Union of India, A.I.R. 1981 A.p. 153, at 158.
8. EMCO Pressmaster Pvt. Ltd. v. Union of India AIR 2000 Del 37
9. National Building Construction Corporation Ltd. v. State Bank of Patiala AIR 1993 Del 89
10. Association of Corporation and Apex Societies of Handlooms v. State of Bihar AIR 2000 Del 106
11. DLF Cement Ltd. v. Inspector of Police AIR 1999 AP 359
12. Jagdish Chandra Trikha v. Punjab National Bank AIR 1998 Del. 266
13. National Bank of Lahore v. Sohan Lal AIR 1962 Punjab 534
14. Ram Gulam v. Govt. of U.P. AIR 1950 All 106
15. L.M. Co-operative Bank v. Prabhudas Hathibhai AIR 1966 Bom. 134
16. Standard Chartered Bank v. Custodian AIR 2000 sc 1488
17. K.S. Nagalmbika v. Corporation Bank, Virajpet AIR 2000 Kant. 201
18. Central Bank of India v. Kesharao Narayanrao Patil, (200%) (1) BC 58 (Ori)
19. Philips v. Brooks Ltd. (1919) 2 K.B. 243
20. Belgaum Pioner Urban Co-op. Credit Bank v. Satyapromoda AIR 1962 Mys. 48
21. M. R. Dhawan v. Madan Mohan AIR 1966 Delhi 313, 315
22. Dhani Ram & Sons v. Frontier Bank Ltd. AIR 1962 Punjab 321
23. KM Hidayathulla v. Bank of India AIR 2001 Mad. 251
24. Bank of Maharashtra v. Racman Auto (p.) Ltd. AIR 1991 Delhi 278
25. Central Bank of India v. Grains and Gunny Agencies AIR 1989 MP28

## UNIT-II

### AGENCY

- **Agency**
  1. Definition
  2. Creation of Agency
  3. Kinds of Agents
  4. Distinction between Agent and Servant

5. Rights and Duties of Agent
6. Relation of Principal with third parties
7. Delegation of Duties and Rights of Agent
8. Extent of Agents authority
9. Personal liability of Agent
10. Termination of Agency.

### **Case Studies:**

1. Keighley, Maxsted & Co. v. Durant (1901) AC 240
2. Kelner v. Baxter (1866) LR 2 CP 174
3. Badri Prasad v. State of Madhya Pradesh AIR 1966 SC 58
4. Saroj Kapur v. Nitin Casting Ltd. AIR 1987 Delhi 349
5. Keppel v. Wheeler (1927) 136 LT 203
6. National Bank of Lahore v. Sohanlal AIR 1962 Punjab 534

### **Text Book**

1. Avtar Singh. "Contract and Specific Relief", Eastern Book Company, 10<sup>th</sup> Edition, Lucknow, 2010.

### **Reference Book**

2. B S Ramaswamy, "Contracts and their Management, Lexis Nexis Butterworth, 3<sup>rd</sup> Edition, New Delhi 2008
3. H.K Saharay, "Dutt on Contract", Eastern Law House, 10<sup>th</sup> Edition, Kolkata, 2006
4. G C Bharuka, "Mulla on The India Contract Act", 12<sup>th</sup> Edition, Lexis Nexis Butterworths Wadhwa, Nagpur 2009
5. Venkoba Rao's Law of Agency, 3<sup>rd</sup> Edition, Butterworths, New Delhi, 2001

## **UNIT-III**

### **INDIAN PARTNERSHIP ACT**

#### **• Indian Partnership Act**

1. Definition – Nature, Mode of determining the existence of
2. Partnership – Relation of Partner to one another – Rights and duties of partner –

3. Relation of partners with third parties – Types of partners – Admission of partners – Retirement
4. Expulsion – Dissolution of Firm – Registration of Firms.

### **Case Studies**

1. Mahabir Cold Storage v. CIT, AIR 1991 SC 1357
2. C.I.T. v. Shah Mohandas Sadharam, AIR 1966 SC15
3. Sharad Vasant Kotak v. Ramniklal Mohanlal Chawda (1998) 2 SCC 171
4. Ganga Metal Refining Company v. Commissioner of Income-tax, West Bengal, AIR 1967 Cal. 434
5. Mahadeodas v. Gherulal Parekh, AIR 1958 Cal. 703
6. K. Jaggaia v. Kokumanu AIR 1984 A.P. 149
7. Munishi Abdul Latif v. Gopeswar AIR 1933 Cal 204 : 56 Cal L.J 172
8. R.N. Kothare v. Hormasjee, AIR 1927 Bom 187
9. Dulichand Laxminarayan v. Commissioner of Income-Tax, (1956) 29 T.L.R. 535
10. Mahendra Kumar v. Sate of Madras, AIR 1968 Mad. 241
11. Sanganer Dal and Flour Mill v. F.C.I, AIR 1992 S.C 481
12. Dena Bank v. Bhikhabai Prabhudas Parekh and Co. and others, 2000 (5) SCC 694

### **Text Book**

1. Pollock and Mulla, “ The Indian Partnership Act”, 7<sup>th</sup> Edition, Lexis Nexis Butterworths, New Delhi 2007

### **Reference Book**

2. S.D. Singh, J.P. Gupta, “Law of Partnership in India”, 15<sup>th</sup> Edition, Orient Law House, New Delhi.
3. H.K. Saharay, “Indian Partnership and Sale of Goods Act”, R.Combray and Co. P.Ltd, Kolkata, 2004
4. V.S.Vadivel, “Partnership Firms”, 3<sup>rd</sup> Revised Edition, Snow white, Mumbai, 2008
5. Dr. Madhusudhan Saharay, “Indian Partnership Act”, Universal Law Publishing Co. New Delhi, 2010

6. Satyajeet Desai, “ The Law of Partnership in India”, 7<sup>th</sup> Edition, Wadhawa, Nagpur, 2009

## UNIT –IV

### Sales of Goods Act

- **Sale of Goods Act**

1. The Contract of sale
2. Conditions and Warranties
3. Passing of Property
4. Transfer of title
5. Performance of the Contract
6. Rights of Unpaid Seller
7. Against goods – Remedies for Breach of Contract

#### **Case Studies:**

1. Andhra Sugar Ltd. v. State of A.P AIR 1968 SC 599
2. Coffee Board, Karnataka v. Commissioner of Commercial Taxes, AIR 1988 SC 1487
3. M/s Mukesh Kumar Aggrawal and Co. v. State of M.P, AIR 1988 S.C 563
4. Associated Power Co. Ltd v. Ram Taran Roy, AIR 1970 Cal. 75
5. H. Anraj v. Govt of Tamil Nadu AIR 1986 SC 63
6. Vijay Minerals Pvt. Ltd v. Bikash Chandra Deb AIR 1996 Cal. 67
7. Aluminium Industries Ltd. v. Minerals and Metals Trading Corpn, AIR 1998 Mad. 239
8. Union of India v. Tarachand AIR 1976 M.P. 101
9. State of Gujarat v. Variety Body Builders AIR 1976 SC 2108
10. Jagdish Radhakisan v. Ramesh S. Wagh AIR 2001 Bom 152
11. In re Andrew Yule and Co. AIR 1932 Cal. 879

#### **Text Book**

1. P. Ramanath Aiyar, Law of Sale of Goods”, 8<sup>th</sup> Edition, Universal Law Publishing Co. Delhi, 2007

#### **Reference Book**

2. R.Chakraborty, “Law of Sale of Goods And Partnership”, 1<sup>st</sup> Edition, Orient Publishing Company, Allahabad, 2007

3. Dr. Madhusudan Saharay, “Sale of Goods and Hire Purchase”, Universal Law Publishing Co., New Delhi, 2010
4. Justice. P. Narayna, “Law of Caveats”, First Edition, Asian Law House, Hyderabad, 2006
5. S.D. Singh, J.P. Gupta, “Law of Partnership in India”, 15<sup>th</sup> Edition, Orient Law House, New Delhi.
6. H.K. Saharay, “Indian Partnership and Sale of Goods Act”, R.Combray and Co. P.Ltd, Kolkata, 2004

## **UNIT –V**

### **Hire Purchase Act 1972**

- **Hire Purchase Act 1972**
  1. Rights and Obligation of the Hirer and Owner
  2. Form and Contents of Hire Purchase Agreements
  3. Warranties and Conditions
  4. Standard Form of Contracts: Nature, Advantages, Unilateral Character
  5. Principles of Protection against the Possibility of Exploitation
  6. Judicial Approach to such Contracts
  7. Exemption Clauses
  8. Clash between two standard forms of contracts.

### **Text Book**

Hire Purchase Act, 1972

# **LAW OF CRIMES-I (IPC)**

## **BBL 303**

### **INTRODUCTION TO THE COURSE**

The primary objective of criminal law is to maintain law and order in society and protect people's life and liberty. It is for this reason that people place their ultimate reliance on this branch of law for protection against all injuries that human conduct can inflict on individuals and institutions. Due to these reasons, the penal law cannot afford to be weak, ambiguous or ineffective. Nor can it be harsh and arbitrary in its impact. The application of criminal law has to be uniform regardless of any discrimination on grounds of class, caste, religion, sex or creed etc. of either the criminal or the victim.

### **COURSE OBJECTIVE**

1. To familiarize the students with the key concepts regarding crime and criminal law.
2. To expose the students to the range of mental states that constitute *mens rea* essential for committing a crime.
3. To teach specific offences under the Indian Penal Code.
4. To keep students abreast of the latest developments and changes in the field of criminal law.

### **COURSE OUTCOME**

The students will be able to;

1. Understand the conceptual analysis of the law of crimes
2. Analyse the spirit of legal provisions of crimes
3. Apply the practical aspects of law of crime
4. Assess the real approach of the law of crime

## **Unit-I**

### **Introduction to Criminal Law**

**Credit 6**  
**(Hours 60)**

- (a) The nature and concept of crime
- (b) Extent and operation of the Indian Penal Code
- (c) Definition of Crime
- (d) Constituents Elements of Crime: *Actus Reus* and *Mens rea*

### **Cases**

1. Fowler v. Padget (1798) 7 T.R. 509
2. Harding v. Price (1948) 1KB. 695

3. R v. Allday (1837) 8 C & P, 136 at 139
4. R v. Prince (1875) L.R. 2 C.C.R. 154
5. Queen v. Tolson (1889) 23 Q.B.D. 168
6. Sherras v. De Rutzen (1895) 1 Q.B. 918
7. Cundy v. Le Cocq (1884) 13 QBD.207
8. Hobbs v. Winchester Corporation (1910) 2 K.B. 471
9. State of Maharastra v. M. H. George A.I.R. 1965 S.C. 722
10. Nathu Lal v. State of M.P. A.I.R. 1966 S.C. 43
11. Mubarak Ali Ahmad v. State of Bombay, A.I.R. 1957 S.C. 857
12. R v. Francis Cassidy (1867) 4 B.H.C. (Cr. C.) 17
13. Queen v. Nidha (1891) I.L.R. 14 All 38
14. Abhayand Mishra v. State of Bihar A.I.R. 1961 S.C. 1698
15. State of Maharashtra v. Mohd. Yakub 1980 Cr. L.J. 793

## **Unit-II**

### **General Exceptions-I**

- (a) Definitions
- (b) Private Defense against Body and Property
- (c) Judicial and Executive acts
- (d) Necessity
- (e) Consent
- (f) Infancy
- (g) Insanity & Intoxication
- (h) Mistake of Fact
- (i) Accident

#### **Cases:**

1. K. M. Nanavati v. State of Maharastra AIR 1962 S.C. 605
2. Shivaji v. State of Maharastra 1973 Cr. L. J. 1783 (S.C.)
3. Barrow v. Issacs (1891) 1 Q.B. 417
4. R. v. Tolson (1889) 23 Q.B.D. 168
5. R. v. Prince (1875) L.R. 2 C.C.R. 154
6. Sheras v. De Rutzen (1895) 1 Q.B. 918
7. Cundy v. Le Cocq (1884) 13 Q.B.D. 207
8. Bhawoojivaji v. Mulli Dayal (1888) 12 Bon 377
9. State of W.B. v. Shew Mangal Singh and others 1884 Cr. L.J. 1683 (S.C.)
10. Jageshwar v. Emperor A.I.R. 1924, 24 Cr. L.J. 789
11. Shakir Khan v. Crown A.I.R. 1931 Lah. 54
12. Bhupendra Singh A. Chaudasama v. State of Gujrat 1998 Cr. L. J. 57 (S.C.)
13. Reniger v. Fogossa (1779) 21 How
14. Cope v. Sharpe (1912) 1 K.B. 496

15. Maleverger v. Spinke (1537) Dyer at 36
16. R. v. Dudley and Stephen (1884) 14 Q.B.D. 273
17. Queen v. Lukhri Agradanini (1874) 22 W.R. (Cr.) 237
18. Marsh v. Loader (1863) 14 C.B.N.S. 535
19. Hiralal v. State of Bihar 1977 Cr. L. J. 1921 (S.C.)
20. Mussammat Aimona (1864) 1 W.R. (Cr.) 43
21. R v. Arnold (1724) 16 St. Tr. 695
22. Lord Ferrer's case (1760) 19 St. Tr. 885
23. Hadfield's case (1800) 27 St. Tr. 128
24. Bowler's Case (1821) Collinson Lumey 673
25. M'Naghten's Case
26. A. G. for Northern Ireland v. Gallagher (1963) A.C. 349
27. Durham v. United State 214 F 2d 862
28. Sodeman v. R. (1936) 2 All E.R. 1138
29. D.P.P. v. Beard 1920 (A.C.) 479
30. Regina v. Doherty 16 Cox C.C. 306 at 308
31. Rajesh Kumar v. Dharamvir 1997 Cr. L.J. 2242 (S.C.)
32. Buta Singh v. State of Punjab 1991 Cri L.J. 1464 (S.C.)
33. Jai Dev v. State of Punjab AIR 1963 SC 612
34. Onkarnath Singh v. State of U.P. AIR 1974 SC 1550
35. Ram Ratan v. State of Bihar AIR 1965 SC 926
36. Kesho Ram v. Delhi Administration AIR 1974 SC 1158
37. Baljit Singh v. State of U.P. AIR 1976 SC 2273
38. Domnic Varkey v. State of Kerala AIR 1971 SC 1208
39. DeoNarain v. State of U.P. AIR 1973 SC 473
40. Amjad Khan v. State AIR 1952 SC. 165

### **Unit-III**

#### **Incoherent Forms of Crime**

- (a) Joint and Constructive Liability/Common Intention and Common Object
- (b) Criminal Conspiracy
- (c) Attempt
- (d) Abetment

#### **Cases:**

1. Barendra Kumar Ghose v. Emperor, 52 I.A. 40 (P.C.)
2. Mahboob Shah v. Emperor, 72 I.A. 148 (P.C.): A.I.R. 1945 P.C. 118
3. Kripal Singh v. State of U.P. A.I.R. 1954 S.C. 706
4. Ram Nath v. State of M.P. A.I.R. 1953 S.C. 420
5. Pandurang v. State of Hyderabad A.I.R. 1955 S.C. 216
6. Rishi Deo Pandey v. State of U.P. A.I.R. 1955 S.C. 331



7. Shree Kantiah v. State of Bombay A.I.R. 1955 S.C. 287
8. J.M. Desai v. State of Bombay A.I.R. 1960 S.C. 889
9. Krishna v. Maharashtra A.I.R. 1963 S.C. 1413

## **Unit-IV**

### **Punishment**

- (a) Concept of Punishment
- (b) Theories of Punishment
- (c) Punishment under the Indian Penal Code
- (d) Capital Punishment

#### **Cases:**

1. Hira Lal Malik v. State of Bihar A.I.R. 1977 S.C. 2236
2. State of Punjab v. Mann Singh 1983 Cr. L. J. 229 (S.C.)
3. Kishori v. State of Delhi 1999 Cr. L. J. 584 (S.C.)
4. Jagmohan Singh v. State of U.P. 1973 Cr. L.J. 370
5. Rajendra Prasad v. State of U.P. 1979 Cr. L.J. 792
6. Bachan Singh v. State of Punjab 1980 Cr. L.J. 636 (S.C.)
7. Machhi Singh v. State of Punjab 1983 Cr. L. J. 1457 (S.C.)
8. Javed Ahmad v. State of Maharashtra 1984 Cri. L.J. 1909 (S.C.)
9. Triveni Ben v. State of Gujrat 1989 Cri, L. J. 870 (S.C.)
10. T. V. Vatheeswaran v. State of Tamil Nadu 1983 Cri. L. J. 481 (S.C.)

## **Unit-V**

### **Specific Offences**

- (a) Offences against the Religion
- (b) Offences Relating to Documents and Property Marks (Forgery)
- (c) Defamation
- (d) Criminal intimidation, insult, and annoyance

#### **Text Books:**

1. Glanville Williams, *Text Book of Criminal Law*, Universal Law Publishing Co., New Delhi, 2012
2. Ratanlal Dhiraj Lal, *The Indian Penal Code*, Lexis Nexis, Butterworths Wadhwa, Nagpur, 2012
3. K.D. Gaur, *Textbook on Indian Penal Code*, Universal Law Publishing Co., New Delhi, 2012
4. C. K. Takwani: *Indian Penal Code*, Eastern Book Company, Lucknow.

#### **References:**

1. P. S. A. Pillai: *Criminal Law-Incorporating the Criminal Law (Amendment) Act*, 2013, LexisNexis India, Gurgaon.
2. Glanville Williams, *Text Book of Criminal Law*, Universal Law Publishing Co., New Delhi, 2012
3. Dr. H.S. Gaur, *Penal Law of India*, Law Publishers, Allahabad, 2013
4. John Dawson Mayne, *Mayne's Criminal law of India*, Gale, Making of Modern Law, 2013
5. K. S. N. Murthy & K. V. S. Sarma: *KSN Murthy's Criminal Law (Indian Penal Code)*, LexisNexis India, Gurgaon.
6. S. N. Misra: *Indian Penal Code (As amended by Criminal Law (Amendment) Act, (2013)*, Central Law Publications, Allahabad
7. Harish Chander: *The Indian Penal Code-A Critical Commentary*, Eastern Law House, Kolkata.
8. Bare Act of Indian Penal Code, 1860

# **ORGANIZATION BEHAVIOUR**

## **BBL 304**

### **Objective of the Course**

This module provides students with an elaborative understanding of organizational behavior, its key principles, concepts & theories. The range of concepts & theories that students will be introduced includes foundation of individual behavior, groups & group dynamics, motivation, leadership, organization design, organization structure, work stress, organization culture, organization change. By the end of the module, students will be fully equipped with the knowledge and skills required to understand & deal human behavior in the organization as individual, group member & organization as a whole.

### **Teaching Methodology**

As per the norms of the university in this course there will be 6 classes per week. Teaching Methodology will include Lectures-cum-discussion, Assignments, Projects and Presentation.

### **Evaluation**

In the evaluation system adopted by the Raffles University an assessment is made of the student's performance throughout the semester on a continuous basis along with an end term examination. The continuous assessment would be done by several observations such as day-to-day performance in classrooms, home assignments, tutorials, seminars, term papers.

- Continuous Assessment- 40%
- Mid-Term- 20%
- End Term- 40%

### **Organizational Behavior**

#### **Unit-1**

#### **Foundations of Individual Behavior**

***Introduction and Conceptual framework of OB-*** Nature & Scope of Organizational Behavior. The organization and the individual.

***Personality:*** Determinants and Attributes, Big Five Model

**Major Personality Attributes:** Locus of Control, Machiavellianism, Self Esteem, Self-Monitoring, Type A & B personality, Risk taking ability.

**Learning and Learning Theories:** Concept, Law of Effect, Classical Conditioning, Operant Conditioning, Social Learning Theory. Reinforcement Theory and OB Modification Process and its Advantages.

**Attitudes:** Concept, its components and various job-related attitudes, Job satisfaction and its impact on OB.

**Values:** Concept, types of values, Robbin's Dominant Work Values today, Hofstede's Values Across Cultures, Javidan & House's The G.L.O.B.E. Findings.

**Perception:** Definition, factors affecting individual perception, Perceptual Selectivity.

## **Unit-2**

### **Motivation and Leadership**

**Motivation:** Definition and concept, different types of motives.

Theories of motivation: Maslow's Hierarchy of Needs, Herzberg's Two Factor theory, ERG theory, Vroom's Expectancy theory, Equity theory, Reinforcement theory and Behavior Modification.

**Leadership:** Nature and Significance of leadership, Trait theory of leadership.

**Behavioral theories of leadership-** Ohio State Studies, Michigan Studies, and Managerial Grid.

**Contingency theories -** Fiedler's model, Hersey and Blanchard's situational theory, leader-member exchange theory, path goal theory, Charismatic leadership.

## **Unit-3**

### **Foundations of Group Behavior**

**Group:** Definition, Classification of Groups, stages of group development, Group Structure, Group Processes, Strength and weakness of group over individuals.

**Team:** Concept of team, Group v/s Team, Team Effectiveness, Different types of teams, how to convert an individual into team player.

**Conflict and Collaboration:** Transitions in Conflict Thought, Functional versus Dysfunctional Conflict, Conflict Process.

**Conflict Management:** Techniques, Negotiation process, Bargaining strategies, Global implications.

## **Unit-4**

### **Structural & Cultural Dimensions of OB**

**Organization Structure:** Definition, Elements of Organization Structure, Common Organization Designs: simple Structure, Bureaucratic Structure, Matrix Structure.

**New Designs Option:** Team Structure, Virtual Structure, Boundaryless Organization Structure; Factors affecting choice of different organization designs.

**Organization Culture:** Meaning of Organizational Culture, Creating and Sustaining Culture, Countries and Culture, Employee Acculturation Process.

**Organizational Climate:** Concept and How to build a more positive and employee-centred climate.

## **Unit-5**

### **Organizational Change and Stress Management**

**Organizational Change:** Change Concept, Forms of Change, Sources of Resistance to Change, Tactics to deal with resistance.

**Approaches/ Models to Managing Change:** Lewin's Change Model and Nadler's Organizational Model, Action Research: Steps in action Research and Change agents.

**Stress Management:** Work Stress, types of stress, stages of stress, causes of stress: extra-organizational, organizational, group and individual; Strategies to cope with stress: individual strategies and organizational strategies.

#### **Reading List:**

#### **Recommended Book**

- Robbins, Judge & Sanghi, (2009): Organizational Behavior 13e, India, Pearson, Prentice Hall

#### **Reference Book**

- L. M. Prasad, (2011): Organizational Behavior, India, Sultan Chand & Sons
- Hersey, Blanchard & Johnson, (2009), India, Pearson/ Prentice Hall
- Keith Davis: Organizational Behavior
- Fred Luthans: Organizational Behavior

# **BUSINESS STRATEGY**

## **BBL 305**

### **Prelude to the Course:**

The course aims to acquaint the students with the fundamental concepts of business and strategic management. It emphasizes on the strategies which need to be formulated in order for a business to function.

### **Learning Objectives:**

The course aims to:

1. Impart the students about the fundamental concepts of strategic management.
2. Incorporate the sense of business organisation at various levels.
3. Enumerates the policies and the legal paradigm regarding business.

### **Learning Outcomes:**

After completing the course, the students will be able to:

1. Study the concepts of strategic management and various business policies.
2. Discuss the strategic operations governing business management.
3. Implement the strategies suitable for various organizational structures.

## **Unit – I**

### **Business Strategy and Policy**

Introduction and Concept of Business Strategy, Need for Business Strategy, Essentials of Effective Strategy, Effects of Inadequate Strategies, Functions of Business Strategies, Meaning and Concept of Business Policy, Factors influencing Business Policy, Business Policy vs. Strategy, Policy decisions and their impact on Business Strategies

## **Unit – II**

### **Strategic Management & Process**

Strategic Management – Definition, Meaning and Role, Objectives of Strategic Management, Benefits of Strategic Management, Importance of Strategic Management, Causes for failure of Strategic Management, Concept of Strategic Management Process, Strategic Vision and the role of a Strategist, Criteria for Effective strategy, Role of Strategic Management in Policy Making

**Unit – III**  
**Strategic Analysis & Formulation**

Concept of Strategic Analysis – definition, Need for Strategic Analysis & Environmental Scanning, Understanding Environment of Business for Strategic Analysis, Strategic Thinkers & Their Contributions, Role of Strategic Analysis in Policy Making, Introduction, Types of Strategies, Steps in Strategy Formulation, Core Competencies and their Importance in Strategy Formulation

**Unit – IV**  
**Strategic Planning and Implementation**

Introduction to Strategic Planning Process, Types of Strategies, Stability, Expansion or Growth, Mergers and Acquisitions, Activating Strategy, Issues in Strategy Implementation, Integrating the Functional Plan and Policies

**Unit – V**  
**Strategic Leadership**

Introduction, Leadership Functions, Leadership Traits, Leadership Styles, Strategic Leadership and Competitive Advantage

**Suggested Readings:**

<b>Sl. No.</b>	<b>Name of the Textbooks</b>	<b>Year of Publication</b>
1.	Rangrajan, K., <i>Concepts in Strategic Management and Business Policy</i> , TMH Publications	2015
2.	Kazmi, Strategic Management	2017

**ECONOMICS-III**  
**LAW AND ECONOMICS**  
**BBL 306**

**INTRODUCTION TO THE COURSE**

This course utilizes the standard tools of economic analysis for the study of law and legal institutions, with special focus on (i) economics of property;(ii) economics of contracts; (iii) economics of tort law, and (iv) economics of lawmaking. This course explains the economic aspects of law making. It describes the normative aspect of economics. It appraises legal rules to determine the extent to which they meet the social goal of efficiency, an application of welfare economics.

**OBJECTIVE OF THE COURSE**

- To examine the importance of Economics to law
- To examine legal impediments to the field of Economics
- To understand law acts as an instrument for economic policy making
- To understand the economic basis of Law of Property, Law of Contract, Law of Torts and Criminology.

**COURSE OUTLINE**

<b>Unit I</b>	<b>Credit 6</b>
<b>Basic Concepts of Economics &amp; Law</b>	<b>(Hours 60)</b>
A. Basic concepts of law: the common law & traditional civil law	
B. Basic concepts of economics – Review of Price theory; Concepts of Economic Efficiency – Pareto Optimum	
C. Market failure -Externalities, Monopoly, Public goods & information	
D. The Game Theory	

**Recommended Readings**

1. Cooter and Ulen: chapter 2; A Review of Microeconomic theory



2. Cooter and Ulen: chapter 3; An Introduction to Law and Legal Economics
3. Kenneth Gillingham, James Sweeney: “Market Failure and the Structure of Externalities” ; 2010
4. Vani K. Borooah: “Market Failure: An Economic Analysis of its Causes and Consequences” ; 2003

*Game Theory : the library of Economics & Liberty,*  
[www.econlib.org/library/Enc/GameTheory.html](http://www.econlib.org/library/Enc/GameTheory.html)

## **Unit I**

### **Economic Analysis of Property Law**

- A. The Coase theorem; Bargaining Theory
- B. The economic concept of property rights and its allocation; establishment & verification of property rights
- C. Intellectual property as public goods (Patents, copyrights, trademarks)
- D. Remedies & violation of property rights

#### **Recommended Readings**

1. Cooter and Ulen: chapter 4 & 5: An Economic theory of Property
2. Gary North “The Coase theorem: A STUDY IN ECONOMIC EPISTEMOLOGY”. 1992
3. Posner, Richard A. (2005) “Intellectual Property: The Law and Economics Approach”. Web Notes  
Cooter & Ulen
  - a. Matt Rognlie , “Understanding the Coase theorem” 2011, [mattrognlie.com/2011/05/04/understanding-the-coase-theorem/](http://mattrognlie.com/2011/05/04/understanding-the-coase-theorem/)
  - b. Christopher K. Eppich, *Patenting Dilemma: Drugs for Profit Versus Drugs for Health*, 43 Santa Clara L. Rev. 289 (2002).

## **Unit III**

### **Economics of Law of Contract**

- A. Introduction to Contract: Bargain Theory; Economic theory of Contract
- B. Perfect Contracts and market Failures - Remedies as Incentives; Specific Performance; Models of Remedies

#### **Recommended Readings**

Cooter and Ulen: Chapter 6 & 7: An Economic theory of Contracts

Steven Shavell, “Economic Analysis of Contract law” ; the national bureau of Economic Research, 2003.

#### **Unit IV**

##### **Economics of Law of Torts**

- A. Economics of Torts: Calabresi’s minimum social cost rule
- B. Drivers & pedestrians: *Caveat Emptor* or negligence or strict liability?
  - 1. Caveats: activity levels; extent of precaution, administrative costs, court errors.
  - 2. The Learned Hand rule
- C. Product liability: privity to negligence to strict liability to absolute liability
- D. Consumer Product Injuries
- E. Extension of Economic Model in Law of Torts

##### **Recommended Readings**

Cooter and Ulen: chapter 8 & 9 : An Economic theory of Tort Law

Winand Emons, “An Introduction to the Legal & Economic Theories of torts” 1993.

Richard A Posner, “Instrumental and Non-Instrumental Theories of Tort Law” 2013.

#### **Unit V**

##### **Economic theory of Legal Process, Crime and Punishment**

- A. Computing the value of a legal claim
- B. Settlement Bargaining
- C. Economics of Trials and Economic Aspects of Appeals
- D. The Theory of Criminal Law
- E. The concept of Rational Crime
- F. Optimal Amount of Crime Deterrence and of Efficient Punishment
- G. Social Cost of Crime
- H. The Deterrence effect of Imprisonment and capital punishment
- I. The Economics of addictive drugs and crime

##### **Recommended Readings**

- a. Cooter and Ulen: chapter 10 : An Economic theory of Legal Process

- b. Richard A Posner, “An Economic Approach to Legal Procedure & Judicial Administration” ; *The Journal of Legal Studies* : Vol 2, 1973
- c. Cooter, Robert (1991) “Economic Theories of Legal Liability”, *Journal of Economic Perspectives* 5(3).
- d. Cooter and Ulen: chapter 11 & 12 : An economics of Crime & Punishment
- e. Gary S. Becker , “Crime and Punishment: An Economic Approach”; *National Bureau of Economic Research*, Vol 1, 1974.
- f. M.A.Cohen, “Environmental Crime & Punishment : Legal / Economic Theory”
- g. Farmer, Amy and Dek Terrell (2001) “Crime versus Justice: Is There a
- h. Trade-off?” *The Journal of Law and Economics*, Vol. XLIV