

## **SEMESTER - IV**

**VEER NARMAD SOUTH GUJARAT UNIVERSITY, SURAT**

**Bachelor of Commerce Bachelor of Law (Honours) [B.Com.LL.B.(Hons.)]**

**Semester - IV**

**BCL – 206 Fundamentals of Entrepreneurship - II**

Course Inputs.

- Unit I. Entrepreneurial Development Programmes (EDP) : EDP, their role, Objectives, relevance, and achievements; Role of Government in organizing EDPs; Issues and Misconceptions about EDP, Critical evaluation. **(30%)**
- Unit II. Role of Entrepreneur : Role of an entrepreneur in economic growth as an innovator, generation of employment opportunities, complimenting and supplementing economic growth, bringing about social stability and balanced regional development of industries ; Role in export promotion and import substitution , forex earning and augmenting and meeting local demand. **(40%)**
- Unit III Projects:- Top Entrepreneurs globally, Achievements of entrepreneur as leaders, Top 10 Entrepreneurs in each sector, Future of Entrepreneurs in India.**(30%)**

### **Suggested Readings:**

- (c) Tandon B.C: Environment and Entrepreneur; Chugh Publication, Allahabad.
- (d) Siner A David: Entrepreneurial Megabuks; Johan Wiley and Sons, New York.
- (e) Srivastava S.B : A Practical Guide to Industrial Entrepreneurs ; Sultan Chand and Sons, New Delhi
- (f) Prasanna Chandra: Project Preparation, Appraisal, Implementation; Tata McGraw Hill, New Delhi.
- (g) Pandey I.M Venture Capital – The Indian Experience; Prentice Hall Of India.
- (h) Holl: Entrepreneurship –New Venture Creation; Prentice Hall of India.

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## **Semester - IV**

### **BCL - 207 Principles of Business Management - II**

Course Inputs.

- Unit I. Leadership – concept and leadership styles; Leadership theories (Tannenbaum and Schmidt.); Charismatic theory , Trait, behavioural, Situational theory, Likert’s System Management ; Leadership styles, Leadership as a continuum, Managerial grid, Leadership styles in Indian Organization. **(35%)**
- Unit II. Managerial Control: Concept and process; Effective control system; Techniques of control, operational control techniques. **(30%)**
- Unit III. Management of Change; Concept , nature and process of planned change, Resistance to change; Emerging horizons of management in changing environment, challenges before Indian managers in the 21<sup>st</sup> century, Social Responsibility, Ethical issues, corporate governance . **(35%)**

#### **Suggested Readings:**

8. Drucker Peter F: Management Challenges for the 21<sup>st</sup> Century; Butterworth Heinemann, Oxford.
9. Wehrich and Koontz, et al: Essentials of Management; Tata McGraw Hill, New Delhi.
10. Fred Luthans : Organizational Behavior ; McGraw Hill, New York.
4. Louis A. Allen: Management and Organization; McGraw Hill, Tokyo.
12. Ansoff H I : Corporate Strategy ; McGraw Hill, New York.
13. Hampton, David R: Modern Management; McGraw Hill, New York.
14. Stoner and Freeman: Management; Prentice-Hall, New York.
15. Principles and Practices of Management - L.M.Prasad.

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### BCL – 208 English - Legal Profession Communication Skills - II

<b>Section: 1</b>	<b><i>Theoretical Considerations</i></b>
<b>Topic:</b>	Introduction to communication: definition; importance of communication skills for a professional; verbal, nonverbal and paralinguistic communication; the communication model. ; Written v/s oral communication ; Brevity, clarity, simplicity, accuracy and appropriateness ; Barriers to communication and how to avoid them.; Characteristics of the Language of the law
<b>Reference Text:</b>	Developing Communication skills by Mohan and Banerji
<b>Approximate percentage of time to be devoted:</b>	8%
<b>Teaching method:</b>	Class activity; Brain storming, lectures
<b>Section: 2</b>	<b><i>Placement Related Skills:</i></b>
<b>Topic:</b>	Group Discussion; How to face an interview ; Presentation techniques ; Resume; Writing for Employment-Designing Cover letters
<b>Reference Text:</b>	Developing Communication skills by Mohan and Banerji
<b>Approximate percentage of time to be devoted:</b>	12%
<b>Teaching method:</b>	Lectures, class activities, assignments, test 1
<b>Section: 3</b>	<b><i>Professional communication</i></b>
<b>Topic:</b>	Nonverbal Communication.; Meetings: purpose, procedure, chairmanship, participation, physical arrangement ; Writing a professional letter, ; Hearing and Listening, ; The plain English movement, Peter Tiersma
<b>Reference Text:</b>	Developing Communication skills by Mohan and Banerji ; Legal language, legal writing general English. Dr. S.C. Tripathi. Central Law Publications. 2005. 3 <sup>rd</sup> ed.; Osborn and Osborn. Public Speaking 4 <sup>th</sup> ed. 2000. Houghton Mifflin Company, U.S.A. ;
<b>Approximate percentage of time to be devoted:</b>	Developing Communication skills by Mohan and Banerji; Peter Tiersma 9%
<b>Teaching method:</b>	Lectures, writing practice, test

<b>Section: 4</b>	<b><i>Communication skills for advocacy</i></b>
<b>Topic and Text:</b>	The advocate as conductor: painting the picture; my physical presence; where do I look; masking my anxiety; what do I call people; opening statements; agendas; questioning my witnesses; helping the decision maker to understand, Winning advocacy by Hugh Selby and Graeme Blank p75-110
<b>Approximate percentage of time to be devoted:</b>	<b>5%</b>
<b>Teaching method:</b>	Lectures, class activities, assignments

<b>Section: 5</b>	<b><i>Literary Readings</i></b>
<b>Topic and the Reference Text:</b>	<ol style="list-style-type: none"> <li>1. Language and the Law, John Gibbons. 1999. Annual review of applied linguistics. 19, 156-173. Cambridge University Press.</li> <li>2. The Merchant of Venice (Act-IV, the court scene) – William Shakespeare</li> <li>3. C.K. Kakodar v. State of Maha. (P. Jaganmohan Reddy. J.). Equivalent citation: AIR 1970SC1390, (1970) 72BOMLR917, 1970Cri LJ1273, (1969) 2SCC687, [1970] 2SCR80</li> <li>4. Francis Bacon, Of Judicature</li> <li>5. Legality of book-banning, A.M. Bhattacharjee</li> <li>6. The Bajaj dispute and mediation by Sriram Panchu</li> <li>7. Learning Legal Rules (A Student's Guide to Legal Method and Reasoning) - James A. Holland, Julian S. Webb, Type: Non-Fiction, Genre: Crime &amp; Law</li> </ol>
<b>Approximate percentage of time to be devoted:</b>	<b>16%</b>
<b>Teaching method:</b>	Role play, reading and discussion

<b>Section: 6</b>	<b><i>Literary Readings 2: SELF-READING FOR THE STUDETNS</i></b>
<b>Topic and reference</b>	1. Dr. Ambedkar: Life and Mission by Dhananjay Keer

<b>text:</b>	published by Popular Prakashan, Mumbai, India; The Legacy Of Dr. Ambedkar by D.C. Ahir published by B.R. Publishing Corporation, Delhi-110007,India. (ISBN 81-7018-603-X Code No. L00522) 2. : An Autobiography of APJ Abdul Kalam by A.P.J Abdul Kalam, Arun Tiwari; Orient Longman, 1999. 3. Legal Studies Paper No. 2009-11, March 2009, What is Language and Law?, And does anyone care?, Professor Peter M. Tiersma, 33
<b>Approximate percentage of time to be devoted:</b>	<b>10%</b>
<b>Teaching method:</b>	The students would be required to read assigned portions of the text, make brief presentations, and to discuss in the classroom. Test

<b>Section: 7</b>	Using the language
<b>Topics:</b>	Conversation practice; Pronunciation; Punctuation; Correct Usage and Common Errors; Vocabulary; Oral Presentations; Spelling rules; Idioms ;

<b>Approximate percentage of time to be devoted:</b>	<b>19%</b>
<b>Teaching method:</b>	Lectures, classroom activities, written exercises and quizzes

<b>Section: 8</b>	<b>Research Project</b>
<b>Topic:</b>	Research project in legal language and communication
<b>Approximate percentage of time to be devoted:</b>	<b>25%</b>
<b>Teaching method:</b>	Discussion and classroom presentation. Written project report has to be submitted, and a presentation has to be made by the student.

### Further Reading:

1. Glanville Williams, *Learning the Law*, Universal Law, New Delhi, 2000.Chapter 14
2. John Gibbons. 1999. Annual Review of Applied Linguistics. 19, 156-173. Cambridge University Press.
3. Lewis, Hedwig. Body Language: A Guide for Professionals. New Delhi: Response Books (A division of Sage Publication), 2000
4. Mogha, *The Indian Conveyancer*, Eastern Law House, Calcutta, 2004 .
5. Murli Manohar, *Art of Conveyancing and Pleading*, Eastern Book Company, Lucknow, 2004.

6. S.P. Agarwal, Pleadings, LexisNexis, New Delhi, 2003.
  7. A.S. Hornby, Guide to Patterns and Usage in English, OUP, Delhi, 1999.
  8. David Green, Contemporary English Grammar Structures and Composition, Macmillan, Chennai, 1999.
  9. Geoffrey Leech and Jan Svartvik, *A Communicative Grammar of English*, Longman, Delhi, 2001.
  10. Thomson and Martinet, *A practical English Grammar*, OUP, Mumbai, 1970.
- Wren and Martin, *English*

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## Semester - IV

### BCL – 209 Administrative Law

**Aims of study:** Administrative Law specifically addresses in delivering two fundamental aspects of good governance, viz., (a) rule based administration replacing discretion based arbitrary administration and (b) delivery of administrative justice, justice to be delivered at the door step. Administrative justice is critical in a welfare state where litigative justice can not reach.

**Methodology of study:** Since there is no Code on Administrative Procedure, it is difficult to study on principle based administrative practice. It is therefore better to study through issue-based administrative decisions. If it can be understood through discussion by a group of administrators debating on a fact situation the students may develop a Best Practice Code on the basis of each issue. This type of study would require preparation of study materials to be specially designed for the purpose. There are good Text Books based on principles. So case method, lecture method may be easily organized.

**Evaluation System:** Problems from life situation may be asked to solved, Prepare a BPC on a specific type of administrative action and paper writing should be main course of continuous assessment schedule.

#### Course-design

**Module 1: Evolution and Scope of Administrative Law:** Nature, Scope and Development of Administrative Law, Rule of law and Administrative Law, Separation of powers and its relevance, Relationship between Constitutional law and Administrative Law, Administrative Law vis-à-vis privatization, Classification of functions of Administration

**Module 2: Legislative Functions of Administration:** Necessity and Constitutionality, Forms and requirements, Comparative position – U.K., USA & India, Control- i. Legislative ii. Judicial, Sub-delegation

**Module 3: Judicial Functions of Administration:** Need for devolution of adjudicatory authority on administration, Administrative Tribunals– Constitution, powers, procedures, rules of evidence, Principles of Natural Justice - Rule against bias, *Audi Alteram Partem*, Essentials of hearing process, Cross examination, Legal representation - right to counsel, Pre and post - decisional hearing, Reasoned decisions, Exceptions to Principle of Natural Justice, Effect of failure - Rules of evidence – no evidence, some evidence and substantial evidence, Institutional Decisions

**Module 4: Administrative Discretion and Judicial Control of Administrative Action:** Need for conferring discretion on administrative authorities and its relationship with rule of law, Rule of law and administrative discretion, Constitutional imperatives and exercise of discretion, Grounds of judicial review - i. Abuse of discretion, ii. Failure to exercise discretion, Doctrine of legitimate expectations, Doctrine of Proportionality, Public Accountability

**Module 5: Judicial Control of Administrative Action:** Introduction, Court as the final authority to determine the legality of administrative action, Exhaustion of Administrative remedies, Locus standi, Laches, Res judicata, Judicial review and its extent

**Module 5: Methods of judicial review:** Statutory appeals, Writs – Habeas Corpus, Mandamus, Certiorari, Prohibition and Quo warranto,, Declaratory judgements and injunctions, Civil Suits for Compensation

**Module 6: Personal Liability:**

**Module 7: Ombudsman:** Concept and need, Lokpal and Lokayukta

## References

M.P.Jain & S.N.Jain, Principles of Administrative Law

I.P.Massey, Administrative Law

Wade, Administrative Law

C.K.Takwani, Lectures on Administrative Law

S.P.Sathe, Administrative Law

## Case Law:

Ram Jawaya v. State of Punjab (AIR 1955 SC 549) Asif

Hameed v. State of J & K (AIR 1989 SC 1899)

A.N. Parasoraman v. State of Tamil Nadu AIR 1990 SC 40, (Administrative discretion) State

of Punjab v. V.K. Khanna, AIR 2001 SC 343 (Mala fide exercise of power)

State of Bombay v. K.P. Krishnan AIR 1960 SC 1322 (irrelevant considerations

Shrilekha Vidyarthi v. State of U.P. (AIR 1991 SC 537) (Reasonableness) Delhi

Laws Act case, AIR 1951 SC 332

Lachmi Narain v. Union of India AIR 1976 SC 714 (Modification)

A.V. Educational Society v. Govt. of A.P. Educational Department (AIR 2002 A.P. 348)

(Judicial Control of delegated Legislation)

M/s Atlar Cycle Industry Ltd. v. State of Haryana (Legislative Control)

Govind Lal Chagga Lal Patel v. The Agriculture Produce Market Committee (AIR 1976 SC

236) (Procedural Control)

Kiran Gupta v. State of U.P. (AIR 2000 SC 3299) (Delegated Legislation)

Indian National Congress (1) v. Institute of Social Welfare (AIR 2002 SC 2158) (Classification of Administrative Action)

A.K. Kraipak v. Union of India (AIR 1950 SC 150)

Hira Nath v. Rajendra Medical College (AIR 1973 SC 1260)

Maneka Gandhi v. Union of India (AIR 1978 SC 597)

S.N.Mukherjee v. Union of India (AIR 1990 SC 1986)

Kumaon Mandal Vikas Nigam Ltd. v. Girja Shankar Pant (AIR 2001 SC 24) (Natural Justice, Test of Bias)

State of U.P. v. Johrimal (AIR 2004 SC 3800) (Judicial Review) Johri Mal Sayed

Yakoob v. Radha Krishan (AIR 1974 SC 477) (Writ Jurisdiction)

Shri Anadi Mukta Sadguru Trust v. V.R. Rudani (AIR 1989 SC 1607) (Mondemus)

R.K. Singh v. Union of India (AIR 2001 Delhi 12) (Mandemmm)

Kanhaiya Lal Sethia v. Union of India (AIR 1998 SC 365) (Judicial review cannot be on policy matters)

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**BCL – 210 Law of Crime - II**

Module I. Offences affecting to Human body (Sec 299-377)

(A) Offences against Human Life (ss 299 – 318 )

- I. Culpable Homicide (SS 299, 301 & 304)
- II. Murder ss300-303
- III. Causing death by negligence (ss 304A)
- IV. Abetment of suicide (ss 305-306)
- V. Attempt to commit the above three offences (ss 307 -309)
- VI. Being a Thug (ss 310-311)
- VII. Causing miscarriage, exposure by children (ss 307-309)

**Referred Cases:**

- R v Govinda IBL Bom 342
- R Punaiya v State
- Versa Singh v. Sate of Punjab AIR 1958 Sc 465 (Injury Sufficient to cause death.)
- Chhote Singh Vs. State of Rajasthan (Injury Sufficient to cause death)
- KM Nanavati Vs. State of Maharastra, AIR 1962 SC 605
- Honsa Singh Vs. State of Punjab AIR 1977 SC 1801
- Jagnohan Singh vs State of U.P. AIR 1973 SC 947
- Bachan Singh vs Sate of Punjab AIR 1980 Sc 898
- Machhi Singh Vs State of Punjab AIR 1983 SC 957
- Nathu Ram Godse vs The Crorum AIR 1983 Easi Punjab 321
- Kehar Singh Vs. Delhi Administration AIR 1988 SC 1883
- Laxman Naik Vs State of Orissa AIR 1995 Sc 1387
- State CBI/SIT Vs Nalini and Others (1999) 105 Cr.,. LS 3124

**Exception 1.** Muther vs State of Tamil Nadu (2007) September 547 Act of Sadomoy on Som Exc 1 to 300

**Exception 2.** Lachmi Koeri Vs. State of Bihar, AIR 1960 Pat. 62 **Exception. 3** Dukhi Singh vs State AIR 1955 All 379

**Exception 4.** Amrithalinga Nadu Vs. State of Tamil Nadu AIR 1976 SC 1133

- Naveen Chandra Vs State of Uttarnchal AIR 2007 SC 363
- Pappu Vs. State of Madhya Pradesh AIR 2006 SC 2659 Ajit Pasv

**Exception 5.**

- Dasrath Paswan vs State of Bihar AIR 1958 Pat 190

**S-301**

- Ballan vs State of Uttar Pradesh AIR Rig 55 All 626

**S-303**

- Mithhu Vs State of Punjab AIR 1983 SC 473, US – Locktt Vohir 43845596 (1977) - 466. (Constitutionality of Death Sentence).

**S-304A**

Homicide by negligence 304A

- Juggan Khan v. State of M.P. AIR 1965 SC 831

Doctor negligently injected poisons liquid

- Jacob Mathew Vs State of Punjab (2005) 6 Sec1 – 454

(B) Offences against the Human body (319-377)

- I. Hurt (Simple and grievous) (Sec 329-338)
- II. Wrongful Restraint and wrongful confinement (ss 339 - 348)

- III. Criminal force & assault (ss 349-358)
  - IV. Kidnapping, Abduction, Slavery & forced labours (ss 359-374)
  - V. Unnatural offence (ss 377)  
Homosexuality
- LAW COMMISSION REPORT

**Referred Cases:**

- S. Vardarajan Vs State of Madras AIR 1965 SC 942
- Thakorilal D Vadgana Vs State of Gujurat AIR 1973 SC 2313
- R VA (1978) 3 ALLER 161 – 511

**S-364 A**

- Abdul Karim Vs. Sate of Karnataka AIR 2001 SC 116

**Module II. Offences against women (SS 304B, 354, 509, 375-376ABCD, 363-373)**

This chapter is divided into the following heads

- (A) Crimes under Indian Penal Code, 1960
  - (I) Dowry death (S. 304B)

**Referred Cases:**

- Shanti Vs Sate of Haryana AIR 1991 SC 1226
- State (Delhi Administration) Vs Laxman Kenar
- Indian Federation of Women Lawer vs Shakumila
- Brij Lal Vs Prem Chand AIR 1986 SC 250
- State of Pujab Vs. Prem Chand AIR 1989 SC
- Sekhar Tiwari Vs. State of U.P. AIR 1989 SC 733

**S-306**

- Sanjay Vs State of Maharstra AIR 2007 SC 1368
- State of Punjab v Iqbal Singh AIR 1991 SC 1532

**S-309**

- Muruti Sripati Dubal Vs State of Maharastra 1987 LJ 743
- P Rathinan Vs Union of India AIR 1994 SC 1844
- Gian Kaur V.s State if Punjab AIR 1996 SC 946 (Constitutionality of Euthanasia and Mercy killing to be discussed).

- (II) Cruelty against Women by Husband or relatives 498A
- (III) Outraging modesty of a women (S. 354)

- Rupan Deo Bajaj v. Kanwar Pal Singh Gill (1995) 6 Sec 194, AIR 1996 Sc 309
- Ram Das v . State W.B. AIR 1954 SC 711

- (IV) Insulting the privacy of a woman (S. 509)
- (V) Rape (S. 375 – 376 ABCD Law commissions report 172)

**Referred Cases:**

- Tukaram v. State of Maharastra AIR 1979 SC 185 Mathere case
- Dillip Singh v. State of Bihar (2005) 1 SCC 88

(Submission and Consent) .

- Queen v. Flattery (1877) 2 ABD 410 (Consent under Misconception no defense).
- Tulshidas Kandolkar v. State Goa (2003) 8 CC 590  
( Girl of undeveloped mental faculties can not be said legally consented).
- State of Maharastra v. Prakash AIR 1992 SC 1275
- Sidheswar Ganguly v. State of West Bengal (Consent below 16)
- Bharwada Bhogimbhai Hirjibhai v. State of Gujirat AIR 1983 Sc 753  
(Corroboration not necessary as essential ingredient)
- Bodhisattava Gaulam v. Subhra Chakroborty AIR 1996 SC 922  
(Compensation during pandency of case)
- Delhi Domestic Working Women Forum v. Union of India AIR 1996 SC 922 (Broad parameters for assaulting rape victim by SC)
- Priya Patel v. State of OGP AIR 2006 SC 2639
- Brother John Anthony v. State of Tamil Nadu ( 1992) CrLJ 1352 (Temple Monk Guilty of Sodomy on 13 yr Boy)
- State of Karnataka v. Gauri Shankar Swammy T.O.I 3 February 2004  
(Homosexual legality).

(B) Crime under special laws

- (I) Commission of Sati (Prevention) Act, 1987
- (II) Dowry prohibition act, 1961
- (III) The immoral Traffic (Prevention) Act, 1956
- (IV) The Indecent Representation of women (Prohibition) Act, 1986
- (V) The child marriage restrain (Amendment) Act, 1979
- (VI) Prevention of women from domestic violence Act, 2005

**Module III. Offences against marriage (SS 493-498)**

- (I) Mock Marriage (SS 493 & 496)
- (II) Bigamy (SS 493 & 496)

Obligation on the part of Prosecution and Defence (Burden of proof)  
Personal matrimonial law  
Effect of conversion to another Religion  
Abutment of bigamous marriage

**S- 493**

- Raghunath Pandey Vs State AIR 1957 on 198

**S-494**

- Urmila Vs State 1994 CrI 2910 (Sc.)
- Sarla Mudgal Vs Union of India 1995 CrIj 2926 (Sc) Conversion of Religion
- Lily Thomas v. Union of India, AIR 2000 SC

**S-496**

- K.C. Chakraborty Vs Empeeror AIR 1937 Cal 214  
(Cheating establishing when the accused wrongly represented himself to be of higher cast or sub cast- Cal HC)

(III) Adultery (Sec 497)

- Obligation on Prosecution and defence
- Scope of the section
- English law on the point
- Constitution validity by the law of adultery
- Difference between adultery and Rape
- Malimath Committee Report
- Criminal Elopement (Sec 498)

**Module IV. A. Offences against reputation and Criminal Intimidation, Insult and Annoyance(SS 499 - 502, 503-509)**

- Mukund Matand Chitnis v. Madhuni Mukund Chitnis AIR 1972 SC 1804
- Harvajan Singh v. State of Punjab AIR 1966 SC 97
- Sahib Singh v. State of Utter Pradesh AIR 1965 Sc 145

- I. Criminal Intimidation (SS 506-507)
- II. Insult (SS 504-509)
- III. Statements Conducive to public mischief (S 506)
- IV. Devine displeasure (S 508)
  
- V. Misconduct in public by drunken person (Sec 510)
  
- VI. Difference between criminal intimidation and extortion
- VII. Difference between insult and defamation
- VIII. Difference between assault and criminal intimidation

**Module V. Offences against property (SS 378 462)**

These offences can be put-into the following three categories

A. Offences dealing with deprivation of property SS 378-424

- (I) Theft (S. 378) along with its aggravated forms (SS 380-382)
- (II) Extortion (SS 383-389)
- (III) Robbery (SS 390, 392-394 & 401)
- (IV) Dacoity (SS 391, 395-400) & 402)
- (V) Criminal Misappropriation of Property (SS 403-404)
- (VI) Criminal Breach of Trust (SS 405-409)
- (VII) Receiving stolen property (SS 410-411)
- (VIII) Cheating (SS 415 -420)
- (IX) Fraudulent deeds and Disposition of property (SS 421-424)

**Referred Cases:**

- Behari Lal Vs State 1985 CrLJ 1507 (Del)
- Putton Vs State AIR 1992 SC 1032
- P.B. Aind Vs State of Maharastra 1995 CrLJ 1694
- State Vs Gopalan 1997 CrLJ NOC 279 (Icer)

- Om Prakash Vs State AIR 1983 SC 431
- (Looted property not recovered)
- Phool Kumar Vs Delhi Administration 1975 Sec (Cr) 336

B. Offences Dealing with Damage to property (SS 425-440)

Mischief (Sec 425)

Aggravated forms of mischief (SS 427-440)

**Module VI. Offences relating to violation of rights to property and Document, Property & Currency**

A. Violation of Rights to Property in order to commit other offences (SS 441-462)

(I) Criminal Trespass (Section 441, 447)

(II) House Trespass (Section 442, 448-452)

(III) Lurking House Trespass ((Section 443-444, 453)

(IV) House breaking (Section 445-462) including aggravated forms of housing braking

B. Offences relating to Documents and Property Marks (section 463-489E)

(i) Forgery (section 463, 465)

(ii) Marking a False document (section 464)

(iii) Forged document (section 470)

(iv) Falsification of accounts (section 477 A)

(v) Other offences relating to documents (section 472-477)

**Module VII. Offences affecting the public Health, Safety, Convenience, Decency and Morals (Sec 268-294A)**

This chapter can be divided in the following three parts –

A. Offences affecting the public health (Section 268-278)

B. Offences affecting Public Safety and convenience

C. Offences affecting decency and Morals. (Section 292-294 A)

**A. Offences affecting the Public Health (Section 268-278)**

(i) Public Nuisance (S.268)

(ii) Acts likely to spread infection (section 269-271)

(iii) Pollution of food or drink (section 272-273)

(iv) Adullualia of drugs (section 274-276)

(v) Fouling water and relating atmosphere (section 277-278)

**B. Offences affecting the public safety and Convenience (Section 277-278)**

- (i) Rash Driving or riding on a public way. (Section 279)
- (ii) Rash or negligent navigation. (Section 280)
- (iii) Exposing false light, mark or being mislead navigator
- (iv) Conveying any person for hire by water in an unsafe and overloaded waste Vessel (Section 282)
- (v) Causing danger or obstruction to any person in public way. (Section 283)
- (vi) Negligent conduct with respect to poisonous substance.(Section 284)
- (vii) Negligent conduct with respect to fire, combustible substances. (section 285-289)
- (viii) Continuance of Nuisance. (Section 291)

### **C. Public Decency and Morals (ss 292-294A)**

- A. Prevention of obscenely (ss 292-294)
- B. Keeping Lottery Office (S 294A)
- C. Cases related to spreading of infectious diseases

#### **Referred Cases:**

- R Vs Hicklin (1868) LR 37B 360 Cockburn CJ
- Ranjeet D. Udeshi Vs State AIR 1965 SC 88
- Chandrakant Kalyandas Kakodkar Vs State AIR 1970 Sc 1390
- Samarosh Base Vs. Amal Miha AIR 1986 SC 967
- Prajapati Magazine Case
- Promila Kapoor vs . Yas Pal Bhasin 1989 CrLJ 1241 Del.
- Ra j Kapoor Vs. Laxman AIR 1980 SC 605
- G.P. Lamba Vs. Tarun Mehra 1988 CrLJ 610 (P & T)
- Uttam Singh Vs. Delhi Administration AIR 1974 SC 1230  
(Play Card Case)

### **Module VIII. Offences against State, Public Peace and Tranquillity & Religion (SS 121-130, SS 141-160, 295-298).**

The chapter can be divided into two parts –

#### **A. Offences against State**

This will cover the following headings –

- (i) Waging war (SS 121-123, 125-127)
- (ii) Assaulting high officer (S 124)
- (iii) Sedition (S 124 A)
- (iv) Suffering escape of, or harbouring a state prisoner or prisoner of war (SS 128-

#### **130) B. Offences against Public Peace and Tranquillity (SS 141-160)**

This chapter is divided into following five main heads.

- (i) Unlawful assembly (SS 141-145, 149-151, 157-158)
- (ii) Rioting (SS 146-148, 152-153)
- (iii) Promoting enmity between classes (S 153A)
- (iv) Knowingly carrying arms in any possession or taking part in any mass drill or mass training with arms (S 153AA)
- (v) Affray (SS 159-160)

#### **C. Offences Relating to Religion (SS 295-298)**

## Constitution and Religious Freedom (Art 25-28)

- (i) Injuring or Defiling place or Worship with intent to insult the religion of any class (S. 295)
- (ii) Deliberate and Malicious acts intended to outrage religious feeling of any class or insulting its religion or religious belief (Sec 295A)
- (iii) Disturbing religious Assembly (Sec 296)
- (iv) Trespassing on Burial place etc(Sec 297)
- (v) Uttering Words etc with deliberate intent to wound the religious feelings of any person (Sec 498)

## IX. Offences Relating to Public Servants, their Authority, False Evidence and Public Justice.

### **Reference Books**

- ✓ Williams Glanville- The Text Book of Criminal Law
- ✓ Jerom Hall – Studies in Jurisprudence and Criminal Theory
- ✓ Jw Cecil Turner (edt.) – Kenny’s Outlines of Criminal Law
- ✓ Jw Cecil Turner - Russel on Crime
- ✓ Smith and Hogan – Criminal Law
- ✓ A.P. Simester & G.R. Sullivan – Criminal Law Theory and Doctrine
- ✓ R. C. Nigam – Principles of Criminal Law
- ✓ Prof. K.N. Chandranshekhar Pillai – Essay’s on Indian Penal Code
- ✓ R. C. Srivastava – Law Relating to Crima Punishment
- ✓ Andrew Ashworth – Principles of Criminal Law
- ✓ P.S. Pillai – Criminal Law
- ✓ Prof K.D Gaur - Criminal Law Cases and Material
- ✓ Dr. Hari Singh Gaur – Penal Law of India (4 volumes)
- ✓ R. A Nelson – Indian Penal Code
- ✓ Prof. K.N. Chandranshekhar Pillai – Essay’s on Indian Penal Code
- ✓ Ratan Lal and Dhiraj Lal – Indian Penal Code
- ✓ Prof. Raghavan – Indian Penal Code

### Day Wise Schedule

Lectu- Re No.	Topic	Reference
1-5	Introduction to  Crimes and  Punishment  Historical background  Criminalization – what and why	Andrew Ashworth, Criminalisation : Principles of Criminal Law; Prov. V. Balasubramaniam, Guilty Mind: Essays on Indian Penal Code; V.B. Bakhale, Is Mens Rea an exceptional ingredient of Criminal Liability in India
6-26	Culpable homicide  Culpable homicide  Not amounting to  Murder  Exceptions to  Murder  Dowry deaths  Negligent  homicide	(1) Queen v. Dudley & Stephens [1884] 14 QBD 273; (2) Reg. v. Govinda; (3) Inder Singh v. Emperor, AIR 1929 Lah. 157; (4) Emperor v. Ratna, AIR 1932 Oudh 18966;(5) Gurcharan Singh (AIR 1973 SC 486);(6) D. P. P. v. Woolmington, [1935] All E R 1(7) Atulji Nagaji (AIR 1980 SC 1166) (8) Emperor v. Dhiraja, AL R 1940 All.. 486 (9) Gyarsibai v. State, AIR 1953 MB 61 (10) R v. Ward,[1956]1 All E R 565 (11) Pran Krishna Chakravarty (AIR 1935 Cal. 580) (12) Virsa Singh v. Smith,[1960] 3 All E R 161 (HL)(14)K.M. Nanavati v. State of Maharashtra, AIR 1962 SC 605 (15) Cherubin Gregory v. State of Bihar, AIR 1964 SC 20 (16) Public Prosecutor v. Semalal Pannadi & others (AIR 1960 Mad.240) (17) Juggankhan v. State of Mandhya Pradesh, AIR 1965 SC 631 (18) Anda v. Rajasthan, AIR 1966 SC 148 (19) Rajwant Singh v. State of
	With relevant  General exceptions	Kerala, AIR 1966 SC 1874 (20) Harajinder Singh v. Delhi Administration, AIR 1968 SC 867 (21) Patil Hari Maghi v. State of Gujarat (AIR 1983 SC

		<p>488) (22) Ganpat Mahadeo More v. State of Maharashtra 1992 (3) Crimes 633 (23) Laxman v. Maharashtra, AIR 1968 SC 1390 (24) Hyan v. D.P.P., [1974] 2 All E R 41 (25) D. Pandey &amp; Others v. State of Bihar (AIR 1998 SC 40) (22) Kurien v. State of Kerala, (1975) KLT 748 (26) Randhir Singh Dhire v. State of Punjab, (1981) 4 SCC 484 (27) State of U.P.v. Ramasagar Yadav, AIR 1985 SC 416 (28) Jayaprakash v. State, Delhi Administration, (1991) 2 SCC 32 (29)</p>
		<p>Parasuraman v. Tamil Nadu, 1992 Cri.L.J. 3939 (30) S.Kaur v. State of Bihar (AIR 1982 SC 1228); (31) Salmon (1880) 6 QBD 79; (32) ILR 1940 Mad. 428; (33) Haidar Ali Kalubhai (AIR 1976 SC 1012); (34) Kans Raj (AIR 2000 SC 2324; (35) Sant Raj (1998) 8 SCC 605.</p>
27-37	<p>Sexual Offences Rape Unnatural Offences Outraging the Modesty of woman Sexual offences at Working place Child Sexual place</p>	<p>(1) Rao Narain Singh SheojiSingh and others v. The State, AIR 1958 Punj. 123 (2) D.P.P. v. Morgan, [1976] AC 182 HL (3) Pratap Misra and others v. State of Orrissa, AIR 1977 SC 1307 = 1977 Cri.L.J. 817 (4) Tukaram and another v. State of Maharashtra, (1979) 2 SCC 143 (5) Vijayan Pillai v. State of Keral, 1989 Cri. L. J. NOC 202 (Ker) (6) Premchand and another v. State of Haryana, 1989 Cri.L.J. 1246 = AIR 1989 SC 937 (7) State of Maharashtra v. Chandraprakash Kewalchand Jain, AIR 1990 SC 658 (8) Rabinarayan Das v. State, 1992 Cri.L.J. 269 (Ori) (9) State of Maharashtra v. Prakash and another, 1993 Supp. (1) SCC 653 (10) State of Karnataka v. Suresh Babu Puk Raj Porral, AIR 1994 SC 966 (11) Raju v. State of Karnataka, 1994 Cri.L.J. 248 (12) Kamel Singh v. State of M.P., (1995) 5 SCC 518 I (13) Jagannivasan v. State of Kerala, 1995 Cri.L.J. 3229 (SC) (14) State of Punjab v. Gurmit Singh and Others, 1996 Cri.L.J.1728(SC) (15) Shyam Sunder “.The State, 1997 Cri.L.J.35 I (16) State of A.P.v.Gangula Satya Mtirthy, 1997 Cri.L.J.774 (SC) (17) Arasappa v.State by Vijayanagar P.S., Bangalore, 1997</p>

		<p>Cri.L.J.1456 (Kar)</p> <p><u>Child Sexual Offences:</u> 1) Sathish Mehra v.Delhi Administration and another, (1996) 9 SCC 766 (2) Smt.Sudesh Jhaku v.K.C.J.and others, 1998 Cr.L.J.2428 Del</p>
		<p><u>Outraging Modesty and Sexual Harassment:-</u></p> <p>(1) Rupan Deol Bajaj and another v.Kanwarpal Singh Grill and another, AND B.R.Bajaj v.State of Punjab, 1996 Cri.L.J.381 (SC)</p> <p>2)Vishaka and others v.State of Rajasthan and Others, AIR 1997 SC</p>
38-50	<p>Offences against Property</p> <p>Theft</p> <p>Extortion</p> <p>Robbery and</p> <p>Dacoity</p> <p>Criminal breach of Trust</p> <p>Cheating</p> <p>Mischief</p> <p>Criminal Trespass</p> <p>Forgery</p> <p>Counterfeiting</p> <p>Counterfeiting government stamps</p>	<p><u>CHEATING:</u></p> <p>1.Ram Prakash Singh v.State of Bihar (1998) 1 SCC 173</p> <p>2. Nageshwar Prasad Singh v.Narayan Singh(1998) 5 SCC 694(Illustration in Class)</p> <p>3. Dr.Sharma's nursing home v.Delhi Administration And others-1999 SCC (Cri)91 (February)</p> <p>4.Abdul Fazal Siddiqui V.Fetehchand Hirawat(1996) 6 (SCC 32=1996 (SCC (Cri) 1112</p> <p>5.RamaswamyNadar v.State of Madras, AIR 1958 SC 56</p> <p>6 Kanumukkala Krishnamurthy v.State of A.P.AIR 1965 SC 333</p> <p>7.The Superintendent and Rememberancer of Legal Affairs, W.B.v.S.K.Roy, AIR 1974 SC 794</p> <p>8.V.V.L.N.Chary v.N.A.Martin and others</p> <p>9.The State of Kerala v.A.Pareed Pillai</p> <p><u>CRIMINAL BREACH OF TRUST:-</u></p> <p>1.Jiwal Dass v.State of Haryana AND Another 1999 SCC (Cri)288.(april)</p> <p>2.Rashmi Kumar V.Mahesh Kumar Bhada(1997) 2 SCC 397 -1997 SCC (Cri) 415.3 Pratibha Rani v.Suraj Kumar (1985) 2 SCC 370=1985 SCC (Cri)180</p> <p>4.CBI v.Duncans Agro Industries Ltd. (1996) 6 SCC 591-1996 SCC (Cri) 1045=AIR 1996 SC 2452=1996 Cri.L.J.3501=(1996) 87 Comp Cas 849</p> <p><u>FORGERY:-</u></p>



		<p>1, State of U.O.v.Ranjit Singh 1999 SCC(Cri) 293 (April)</p> <p>2.Jibrial Diwal V.State of Maharashtra (1997) 6 SCC 499=1997 SCC (Cri) 944=AIR 1997 SC 3424 = 1997 Cri.L.J.4070 (SC)</p> <p>3. Indian Bank v.Satyam Fibres (India) Pvt.Ltd.(1996) 5 SCC 550 = Air 1996 SC 2592</p> <p><u>THEFT EXTORTION AND ROBBER:-</u></p> <p>1. KA Mathai v.Kora Bibi Kutty (1996) 7 SCC 212= 1996 SCC (Cri) 281</p> <p>2.Gurusharan Singh v.State of Punjab (1996)</p> <p>3)SCC 190 =1996 SCC (Cri) 1202. 3.Ajit Singh v.State of Haryana (1996) 3 SCC 335=1996 SCC (Cri) 481 4.K.N.Mehra v.State of Rajasthan AIR 1957 SC 369</p> <p>5. Pyare Lal Bhargava V.State of Rajasthan, AIR 1963 SC 1994 6.Ramratan V.State of Bihar, AIR 1965 SC 926.7</p> <p>Budhan Singh v.State, AIR 1960 Pat.518</p> <p><u>MISCHIEF</u></p> <p>1. Athi Ayyar(AIR) 1921 Mad. 322; (2) Matilal (1901)24 All,155</p> <p><u>CRIMINAL TRESSPASS</u></p> <p><u>(1) Ram Sarrup(1914) 36 All.474; (1970)Cri.L.J.1199) )Pate).</u></p>
51- 56	Offences against Marriage	<p>(1) Gopallal (AIR 1979 SC 713)</p> <p>(2) 2) Lili Thomas (AIR 2000 SC 1650)</p> <p>(3) 3)N.Avullah(AIR 1923 Mad.171)</p> <p>(4) Janaki amma (1955) TC 137</p> <p>(5) AIR 1955 SC 1531</p>
57 - 59	Offences by or relating to Public servants	<p>1. MOhd.Haji Raja v.State of Bihar And Anther (head note B) (1998) 5 SCC 91</p> <p>2. 2) Common Cause, Registered Society (Petrol Pump's</p>

		<p>matter)v./;Union of India (1996) 6 scc 530</p> <p>3. J.Jayalalitha v.Union of India, 1999 Cri.L.2859 (4) P.V.Narasimha Rao - 1998 Supreme Court</p>
60- 72	<p>Offences against Public Tranquility</p> <p>Unlawful assembly</p> <p>Being member of unlawful assembly rioting</p> <p>Promoting enmity between different groups of religion, race, etc</p> <p>Liability of person whose benefit is committed.</p>	<p>1.AIR 1974 Sc 1564;</p> <p>2.Dalip Singh (AIR 1953 SC 364)</p> <p>3.AIR 1987 SC 826</p> <p>4.AIR 1856 SC 513</p> <p>5.AIR 1956 SC 181</p> <p>6.AIR 1965 SC 202</p> <p>7.1970 Cr.L.J.1316 (Mad&gt;)</p> <p>8.Mariadsam(AIR 1980 SC 573)</p> <p>9.1979Cr.L.J.175(Karn..)</p>