Fifth Semester

Paper-1: Political Science –V (International Relations)

The course shall comprise of the following:-

I. International Relation: Its meaning, nature and Practice. The role of National Interest and Ideology in formation of foreign policy.
II. Nationality - Definition and Meaning, Elements that help develop Nationality.
III. Nationalism- Definition, Meaning brief history (W. & E.,) Features, Merits and Demerits.
IV. State, Nation, Nationality-mono-national and Multi-states.
V. Internationalism- Philosophy, reasons for growth, a brief history and scope. International relations and international relations and international politics.
VI. National Power- Meaning, Major Sources and Elements (Geography, population, Natural resources, food, raw materials, Scientific development, technology, Indus capacity) military preparedness, National character, morale leadership and quality of govt.

Limitations of national power,-
 a) International morality
 b) International public opinion
 c) International law-definition, scope, source and limitations, codification
 d) War - meaning, causes, advantages and disadvantages, Earlier and Modern Warfare-compared.
 e) Economic Interdependence

VIII. Diplomacy - an instrument of national policy - definition and importance, a brief history, types of diplomacy, functions, organization and protocol, privileges and immunities of diplomats. Subversion, propaganda and Terrorism.

IX. Peaceful Change:-
 a) Balance of power- Meaning, Characteristics, Devices and Instruments, Balance of power in the modern world.
 b) Collective security - Meaning, principles, features, problems, conditions for success- NATO, SEATO Alliances
 c) Disarmament History, problems, success and failures - example. Instrument of peaceful change -(a) Negotiation (b) Mediation (c) Arbitration (d) conciliation and (e) Judicial Settlement, (Each is to be defined, its features, highlighted, its limitations explained with suitable examples. Each instrument has to be compared and contrasted with the other.)

Books Recommended:

1. Sakti Mukherjee - International Organization.
4. C.P. Scoble - International Relations.
5. Verbon Van Dyke - International Policies
6. Plamer and Poppins - International Relations
7. E.H. Hentment - The Relations of Nations
Paper-2 : Law of Torts-I (Principles of Torts)

The Course shall comprise of the following:

I. Evolution of Law of Torts: England - forms of action - specific remedies from case to case; India - principles of justice equity and good conscience - uncodified character advantages and disadvantages

II. Definition, Nature, Scope and Objects: A wrongful act- violation of duty imposed by law, duty which is owed to people generally (in rem) - damnum sine injuria and injuria sine damnum.; Tort distinguished from crime and breach of contract.

III. Principles of Liability in Torts: Fault; Wrongful intent; Negligence; Liability without fault; Violation of ethical codes; Statutory liability; Place of motive in torts

IV. Justification in Tort: Volenti non fit injuria; Necessity, private and public; Plaintiff's default; Act of God; Inevitable accident; Private defense; Statutory authority; Judicial and quasi-judicial acts; Parental and quasi-parental authority

V. Extinguishment of liability in certain situations: Actio personalis moritur cum persona - exceptions; Waiver and acquiescence; Release; Accord and satisfaction; Limitation; Who may sue; Who may not be sued?

VI. Doctrine of sovereign immunity and its relevance in India; Vicarious Liability; Express authorization; Ratification; Abetment; Special Relationships: Master and servant; Principal and agent; Corporation and principal officer

VII. Torts against persons and personal relations: Assault, battery, mayhem, False imprisonment; Defamation- libel, slander including law relating to privileges; Malicious prosecution; Shortened expectation of life; Nervous shock

VIII. Wrongs affecting property: Trespass to land, trespass ab initio, dispossesssion; Movable property- trespass to goods, detinue, conversion; Torts against business interests - injurious falsehood, misstatements, passing off

Books Recommended:

Paper-3: Property Law

The Course shall comprise of the following:

i. General Principles applicable to transfer of both Movable and immovable properties
ii. General definitions- immovable properties, attestation, notice (a meaning of transfer of property) (see 5).
iii. Meaning of property including non transferable properties (section 6)
iv. persons competent to transfer, incidents of transfer, oral transfer (Section 7, 8 & 9)
v. Condition restraining alienation (section 10 to 12)
vi. Transfer of benefit of unborn person and rule against Perpetuity (section 13 to 18)
vii. Vested and contingent interest (section 19 & 21)
viii. Conditional transfer (section 25 to 29)
ix. Election (section 35)
x. General Principles applicable to transfer of immovable properties only
xi. Transfer by Unauthorised persons other than full owner (section 41 & 43)
xii. Restrictive covenant and protection of third person's rights (section 39 & 40)
xiii. Lis pendens (section 52)
xiv. Fraudulent transfer (section 53)
xxv. Part-performance (section 53 A)
xvi. Sale of Immovable property: definition and mode of sale and Exchange (section 54 & 118)
xvii. Mortgage: definitions mortgage, Mortgagor, Mortgagee, Mortgage Money, Mortgage Deed (section 58) charge (section 100)
xviii. Kind of Mortgage (section 58)
ix. Mode of formalities of creation of mortgage (Section 59)
xx. Right to redeem, Partial Redemption, Clog on Redemption (Section 60), Marshalling and contribution (section 81 & 82), Subrogation (section 91 & 92)
xxi. Leases of Immovable property:
xxii. Definition of Lease (section 105) and License.
xxiii. Lease how made (section 107)
xxiv. Determination of Lease (Section 111)
xxv. Effect of Holding Over (Section 116)
xxvi. Gift
xxvii. Definition of Gift (section 122)
xxviii. Transfer how effected (section 123)
xxix. Onerous Gift (Section 127)
xxx. Universal Donee (section 128)
xxxi. Law of Easement:
xxxii. Definition, Acquisition and Kinds of Easement (Section 4 to 18)

Books Recommended:

1. S.N. Shukla: Transfer of Property Act
2. Dr. H.N. Tiwari: Transfer of Property Act
3. Dr. Prem Nath: Transfer of Property
4. Dr. T.P. Tripathi:
The Course shall comprise of the following:

I. Historical perspectives on Labour: Labour through the ages - slave labour, caste basis, labour during feudal days; Colonial labour law and policy; From laissez faire to welfareism and to globalisation: transition from exploitation to protection; and from contract to status: changing perspectives on labour.

II. The Trade Unions Act, 1926: Trade unionism, Evolution and Growth of Trade Unions in India; Historical reasons for the formation of combinations of workers, legal impediments; Constitutional freedom to form associations and unions – Constitution of India, Articles 19(1)(c), (4) and 33; International Labour Organisation - its influence in bringing changes in national legislations. Trade Union – Definitions of ‘trade union’, ‘workman’ and ‘trade dispute’; Legal control and protection of trade union: registration, amalgamation, rights, immunities, liabilities and dissolution; Problems: multiplicity of unions, over politicisation - intra-union and inter-union rivalry, outside leadership, closed shop and union-shop recognition of unions; Immunities – Criminal and Civil

III. Industrial Disputes - The Industrial Disputes Act, 1947: Aims and Objects of the Industrial Disputes Act; Industry – Conceptual Analysis; The Industrial Disputes Act, 1947, S. 2(j); Industrial Dispute v. Individual Dispute - Contrast; The Industrial Disputes Act, 1947, S. 2(k), 2A; Concept of Workman – Distinction between contract for services and contract of service: Due control and supervision test; Predominant nature of duty test; The Industrial Disputes Act, 1947, S. 2(s); Strike & Lock out; Concepts, legality and justification; The Industrial Disputes Act, 1947, Ss. 2(q), 2(l), 2(n), 10(3), 10A(3A), 22-28; Lay off, Retrenchment & Closure; The Industrial Disputes Act, 1947, Ss. 2(cc), 2(kkk), 2(oo), Chapters VA, VB


V. The Industrial Disputes Act: Investigation & Settlement of Industrial Disputes – General (sections 3 to 15); Dispute Settlement Machinery: Conciliation and Adjudication; Conciliation/Mediation as a Dispute Settlement Mechanism; Adjudication: Voluntary Adjudication/Arbitration and Compulsory Adjudication; Reference of the Industrial Dispute; Nature & Scope of the Power of the Appropriate Government under section 10; Jurisdiction of Adjudicatory Authorities; Awards and Settlements; Settlement: Nature, Duration and Termination; Awards: Nature and Duration; Judicial Review of Industrial Awards; Managerial Prerogatives; Domestic Enquiry and Disciplinary actions with special reference to the Industrial; Powers of the Adjudicatory Authorities; Power in cases of Discharge/Dismissal (section 11A); Restraints on Managerial Prerogatives (section 33 and 33A).

Books Recommended:

Paper-5: Honours Paper (Insurance Law)

The course shall comprise of the following:-

(1) Origin and History of Insurance Law:
    Nationalization and Regulation of Insurance, Constitution, Power and Functions of IRDA

(2) Insurance:
    Definition, Essentials, Nature, Kinds and Application of Doctrine of Utmost Good Faith and Doctrine
    of Indemnity
    (a) Insurable Interest - Definition, Essentials, Nature and Person having insurable Interest.
    (c) Application of Doctrine of Causa Proxima.
    (e) Warranty - Meaning, Characters, Kinds the Effect of Breach of Warranty, Warranty and
        Representation

(3) Life Insurance - Definition, Essential, Nature, Scope, Event, Insured, Circumstances Affecting the
    Risk Including Suicide, Categories of Insurance Policies

(4) Fire insurance: Definition, Nature, Scope, Meaning of the Term, Fire, Loss by Fire, Categories of
    Fire Insurance Policy and the Application of Special Doctrine - Reinstatement, Subrogation,
    Contribution etc.

    Loss and Abandonment, Partial Losses and General Average, Measure of Indemnity.


(7) Double Insurance and Reinsurance.

Books Recommended:

2. M.N. Mishra - Law of Insurance
3. Singh Dr. Avtar - Law of Insurance

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Fifth Semester [Paper Sixth]

6. Company Law

The Course comprises the following:

I. Meaning of Company; Theories of corporate personality; Creation and extinction of corporations.

II. Forms of Corporate and Non-Corporate Organizations; Corporations, partnerships and other associations of persons, state corporations; government companies, small scale, co-operative, corporate and joint sectors.

III. Law relating to companies - public and private - The Companies Act, 2013; Need of company for development; formation of a company; registration and incorporation; Memorandum of association - various clauses; alteration therein - doctrine of Ultra Vires; Articles of association - binding force - alteration - its relation with memorandum of association - doctrine of constructive notice and indoor management - exceptions; Prospectus - issue - contents - liability for misstatements - statement in lieu of prospectus; Promoters - position - duties and liabilities.

IV. Shares - general principles of allotment statutory restrictions - share certificate its objects and effects - transfer of shares - restrictions on transfer - procedure for transfer - refusal of transfer - role of public finance institutions - relationship between transferor and transferee - issue of shares at premium and discount - depository receipts - dematerialized shares (DEMAT); Shareholder - who can be and who cannot be a shareholder - modes of becoming a shareholder - calls on shares - forfeiture and surrender of shares - lien on shares. Share capital - kinds - alteration and reduction of share capital - further issue of capital - conversion of loans and debentures into capital - duties of courts to protect the interests of creditors and holders.


VI. Borrowing powers - powers - effect of unauthorized borrowing - charges and mortgages - loans to other companies - investments - contracts by companies; Debentures - meaning - fixed and floating charge - kinds of debentures - shareholder and debenture holder - remedies of debenture holders.

VII. Protection of minority rights; Protection of oppression and mismanagement - who can apply? - powers of the company, court and of the central government.

VIII. Winding up - types - by court - reasons - grounds - who can apply - procedure - powers of liquidator - powers of court - consequences of winding up order - voluntary winding up by members and creditors - winding up subject to supervision of courts - liability of past members - payment of liabilities - preferential payment, unclaimed dividends - winding up of unregistered company.

IX. Company Law Tribunals and Special Courts

Books Recommended:
1. Avtar Singh, Indian Company Law
2. L.C.B. Gower, Principles of Modern Company Law
3. Palmer, Palmer’s Company Law
4. R.R. Pennington, Company Law
5. Ramaiya, Guide to the Companies Act
6. S.M. Shah, Lectures on Company Law