

# ADARSHA LAW COLLEGE

## Branch: CORPORATE LAWS

### **Note:**

Every Paper shall carry 100 marks, out of which 80 marks shall be for written examination and 20 marks for internal assessment.

### **The criterion for internal assessment is:**

1. There shall be two internal assessment examinations in each paper of each semester and best of two internal examination marks will be taken into consideration.
2. Internal assessment examination should be descriptive i) one essay question for 1. Marks ii) two short questions each for 5 marks. Duration of the examination will be one hour.
3. Concern teacher should set the paper and evaluate.
4. The student who secures 45% marks in aggregate put together in University examination and internal assessment in each paper will be treated as pass in that paper.
5. For those students who are absent at both the internal examinations. No further chance will be given. His/her paper will be valued for 80 marks for the University examination only, and the students shall secure 45 marks out of 80 marks allocated for each paper.
6. The final internal assessment marks award lists of all subjects of each semester should be submitted the Chairperson, board of Studies and a moderation committee consisting of Chairperson, Board of Studies, Head of the department and senior faculty will, if necessary, moderate the marks allotted to the students by the concerned teacher.

## I-SEMESTER

### **PAPER – I LEGAL THEORY AND JURISPRUDENCE – I**

**Unit-I:** Meaning, nature and definition of jurisprudence - General and particular jurisprudence - Schools of jurisprudence- Analytical, Historical, Philosophical and Sociological Schools of jurisprudence.

**Unit-II:** Theories of Law - Kelsen's Pure Theory of law – Hart's Concept of law – Modern Trends in analytical and Normative Jurisprudence – Economic Theory of Law – Views of Karl Marx - American and Scandinavian Realism – Critical Legal Studies Movement.

**Unit-III:** Meaning and Definition of Law - The Nature and functions of Law - The Purpose of Law- The Classification of Law- History of Natural Law – Greek Origins – Medieval Period – Period of Renaissance – Transcendental idealism – Natural Law and Social Contract Theories.

**Unit-IV:** Sources of Law-Legal and Historical sources- Custom as Source of Law- Definition of custom- General and Local Custom and Prescriptions - Precedent as Source of Law- Definition of Precedent, Kinds of Precedent- Doctrine of Stare Decisions- Original and Declaratory Precedent- Authoritative and Persuasive Precedents- Legislation as Source of Law- Definition of Legislation - Classification of Legislation – Supreme and Subordinate Legislation – Direct and Indirect Legislation.

**Select Bibliography:**

1. Salmond: Jurisprudence, Universal Publishers.
2. Paton : Jurisprudence
3. Allen : Law in the Making, Universal Publishers.
4. Mahajan V.D.: Legal Theory and Jurisprudence, Eastern Book Company, Lucknow.
5. Dias : Jurisprudence, Aditya Books.
6. Rama Jois, Legal and Constitutional History of India, Universal Law Publications, Delhi.
7. John Rawls-Theory of justice.

**PAPER – II LAW AND SOCIAL TRANSFORMATION – I**

**Unit-I:** The Concept of evolution, Progress, change and social transformation - Social Change: Definition, nature and characteristics of Social change- Planned social change - Unplanned Social Change - Endogenous and Exogenous social change - Direction of Social Change - Theories related to social change - Deterioration theory, Cyclic theory, Linear theory and deterministic theory.

**Unit-II:** Social Change- Factors of Social Change- Geographical/ Environmental, Biological, technological, cultural, Economic and political - Law and social Change - State, Law and Society, their inter-relationship and interdependence – Law as an Instrument of Social Change - Symbolic and instrumental legislations - Law as a means of Social Control - Legal sanction and extra legal sanctions – Limits of Law in bringing out Social Change.

**Unit-III:** Identification of Goals of Social Changes in Indian Constitution – Directive principles of State Policy and social changes – Special provisions for Scheduled Caste, and Scheduled Tribes in Indian Constitution – Protective discrimination of SC/STs and OBCs.

**Unit-IV:** Context of Social Change: Sanskritisation, Westernisation Modernization and Secularization – Modernisation of Social Institutions through law - Economic reforms, Law and Social Change – Technology, Information, Communication and its impact on Law and Social Change.

### **Select Bibliography :**

1. Marc Galanter (ed.), Law and Society in Modern India (1997), Oxford.
2. W. Friedmann : Law in Changing Society.
3. W. Friedmann : Legal Theory.
4. J. Stone : Social Dimensions of Law and Justice.
5. Julius Stone. The Province and Function of Law, Part II, Chs. 1.8-16 (2000), Universal, New Delhi.
6. Vilhelm Aubert : Sociology of Law.
7. C. K. Allen : Law in the Making.
8. A. V. Dicey : Law and Public Opinion in England.
9. Roscoe Pound : (a) Law and Morals, (b) Law, Liberty
10. M.N. Srinivas, Social Change in Modern India.

### **PAPER – III                    GENERAL PRINCIPLES OF CONTRACT**

**Unit-I:** Definition and essentials of a valid Contract - Definition and essentials of a valid Offer - Definition and essentials of valid Acceptance - Communication of Offer and Acceptance - Revocation of Offer and Acceptance through various modes including electronic medium – Meaning and Definition of Consideration - Exception to Consideration - Doctrine of Privity of Contract - Exceptions to the privity of contract - Standard form of Contract.

**Unit-II:** Capacity of the parties - Effect of Minor's Agreement - Contracts with insane persons and persons disqualified by law - Concepts of Free Consent - Coercion - Undue influence - Misrepresentation - Fraud - Mistake - Lawful Object - Immoral agreements and various heads of public policy - Illegal agreements - Void and Voidable contracts.

**Unit-III:** Uncertain agreements - Wagering agreements - Contingent contracts - Discharge of Contracts - By performance - Performance by joint promisors - Discharge by Novation - Remission - Accord and Satisfaction - Discharge by impossibility of performance (Doctrine of Frustration) - Discharge by Breach - Anticipatory Breach - Actual breach.

**Unit-IV:** Quasi Contract - Necessaries supplied to a person who is incapable of entering into a contract - Payment by an interested person - Liability to pay for non-gratuitous acts - Rights of finder of lost goods - Things delivered by mistake or coercion - Quantum meruit - Remedies for breach of contract - Kinds of damages - liquidated and unliquidated damages and penalty - Duty to mitigate.

### **Select Bibliography :**

1. Anson: Law of Contract, Clarendon Press, Oxford, 1998.
2. Krishnan Nair: Law of Contract , S.Gogia & Co., Hyderabad 1995.
3. G.C.V. Subba Rao: Law of Contract, S.Gogia & Co., Hyderabad 1995.
4. T.S.Venkatesa Iyer: Law of Contract, revised by Dr. Krishnama Chary, S. Gogia & Co.
5. Avtar Singh: Law of Contract , Eastern Book Company, Lucknow, 1998.

## II – SEMESTER

### PAPER – I LEGAL THEORY AND JURISPRUDENCE - II

**Unit-I:** Concept of Rights and Duties – Definition of Right – Classification of Rights and Duties – Absolute and relative Classification of Rights and Duties – Relation between Right and Duty – Structure of Duty – Enforceability – Sanction – Conflicting Duties – Future Duties - Rights and cognate concepts like liberty, power, immunity –privilege.

**Unit-II:** Concept of Obligation – Nature of Obligation - Liability – Nature and kinds of Liability - Acts and Mens Rea - Intention and Motive – Relevance and motive - Absolute and Strict Liability - Theories of Negligence - Accident – Vicarious liability – Measure of Civil and Criminal Liability - concept of justice – Theories of punishment.

**Unit-III:** Property – Definition and Kinds of Property - Theories of Property - Concepts of Ownership and possession – Kinds of Ownership –Modes of acquisition of Ownership - Possession and its importance – Relation between ownership and possession - possessory remedies – Prescription – Agreement – Inheritance.

**Unit-IV:** Persons – Nature of personality – Legal status of Animals, Dead persons, Unborn Persons, Lunatic and Drunken Persons – Theories of Corporate Personality – Nature of corporate personality – Acts and Liabilities of Corporations – Criminal and Civil Liability of Corporations – The State as a Corporation.

#### Select Bibliography :

1. Salmond: Jurisprudence, Universal Publishers.
2. Paton : Jurisprudence
3. Allen : Law in the Making, Universal Publishers.
4. Mahajan V.D.: Legal Theory and Jurisprudence, Eastern Book Company, Lucknow.
5. Dias : Jurisprudence, Aditya Books.
6. Rama Jois, Legal and Constitutional History of India, Universal Law Publications, Delhi.
7. John Rawls-Theory of justice.

### PAPER – II LAW AND SOCIAL TRANSFORMATION – II

**Unit-I:** Law and disadvantage sections of society - Caste as a divisive factor - Acceptance of caste as a factor to undo past injustices - Protective discrimination for Backward Classes, Minority and Scheduled Castes/Tribes – Protection of Civil Rights Act, 1976 - Abolition of

Untouchability and Social Change - SC and STs (Prevention of Atrocities) Act, 1989 – Constitutional and Statutory Commissions for Scheduled Castes, Tribes and Other Backward Classes

**Unit-II:** Women and Gender Justice and its various forms - Protective and empowerment measures for Women under the Constitutional and Statutory Laws – Succession Laws and Women empowerment – Immoral Traffic (Protection) Act, 1956 – Dowry Prohibition Act, 1961 – Protection of Women from Domestic Violence Act, 2005 - Women’s Commission.

**Unit-III:** Children and Law – Protective Measures under Indian Constitution - Child Labour –The Child Labour (Prohibition and Regulation) Act 1986 - Children and Education - The Right of Children to Free and Compulsory Education Act , 2009 – Prohibition of Child Marriage Act, 2006 and Social Change.

**Unit-IV:** Law and Development - Land Legislations and its impact on Society – Social Security and battle against poverty - Social Welfare Issues and Social Legislation in India - Problems and Concerns in the implementation of Social Legislation - Social Security and Labour Welfare.

**Select Bibliography:**

1. Marc Galanter, Law and Society in Modern India (1997) Oxford.
2. Upendra Baxi, Law and Poverty Critical Essays (1988) Vikas, New Delhi.
3. Manushi, A Journal about Women and Society.
4. H.M. Seervai, Constitutional Law of India, (1996)
5. Sunil Deshta and Kiran Deshta, Law and Menace of Child Labour (1997) Sage.
6. Agnes, Flavia, Law and Gender Inequality: The Politics of women Rights in India, Oxford.
7. Asha Bajpai, Child Rights in India, (2006) Oxford.
8. U. Baxi, The Indian Supreme Court and Politics (1980), Eastern, Lucknow.
9. John Rawls, A Theory of Justice (2000), Universal, Delhi.

**PAPER – III                      SPECIAL CONTRACTS**

**Unit-I :** Indemnity and Guarantee - Contract of Indemnity, definition - Rights of Indemnity holder - Liability of the indemnified - Contract of Guarantee - Definition of Guarantee - Essential characteristics of Contract of Guarantee - Distinction between Indemnity and Guarantee - Kinds of Guarantee - Rights and liabilities of Surety - Discharge of surety - Contract of Bailment - Definition of bailment - Essential requisites of bailment - Kinds of bailment - Rights and duties of bailor and bailee - Termination of bailment - Pledge - Definition of pledge - Rights and duties of Pawnor and Pawnee - Pledge by non-owner.

**Unit-II :** Contract of Agency - Definition of Agent – Kinds of Agents - Creation of Agency - Rights and duties of Agent - Delegation of authority – Liability of Principal - Personal

liability of Agent – Exceptions to the rule of Agents immunity - Relations of principal and agent with third parties - Termination of Agency.

**Unit-III :** Contract of Sale of Goods - Formation of contract - Subject matter of sale - Conditions and Warranties - Express and implied conditions and warranties - Pricing - *Caveat Emptor* - Property - Possession and Rules relating to passing of property - Sale by non-owner - *Nemo dat quad non habet* - Delivery of goods - Rights and duties of seller and buyer before and after sale - Rights of unpaid seller - Remedies for breach.

**Unit-IV:** Contract of Partnership - Definition and nature of partnership - Formation of partnership- Registration of firm - Effect of non-registration - Relations of partners - Rights and duties of partners - Property of firm - Relation of partners to third parties - Implied authority of partners - Reconstitution of firm - Dissolution of firm – Limited Liability Partnership Act, 2008 – Salient Features.

#### **Select Bibliography :**

1. Anson's Law of Contract, 1998, Oxford University Press, London.
2. Venkatesh Iyyer: The Law of Contracts and Tenders, Gogia & Company Hyderabad.
3. Cheshire & Fifoot: Law of Contract, Butterworth, London, 1976.
4. Mulla: The Indian Contract Act, N.M.Tripathi (P) Ltd. Bombay, 1984.
5. G.C.V. Subba Rao: Law of Contracts, S. Gogia & Co., Hyderabad, 1995.
6. Krishnan Nair: Law of Contracts, S. Gogia & Co. Hyderabad, 1995.
7. Avtar Singh: Law of Contracts, Eastern Book Company, Lucknow, 1998.

## **III – SEMESTER**

### **PAPER – I CORPORATE LAW – I**

**Unit – I:** Meaning of Corporation – Various theories of Corporate personality – Formation of Company –Registration and Incorporation of company – Kinds of Companies – Producer Companies - Memorandum of Association – Alteration therein – Doctrine of Ultra vires – Articles of Association – Its relation with Memorandum of Association – Doctrine of Constructive Notice and doctrine of Indoor Management – Exceptions.

**Unit – II:** Prospectus - Contents – Liabilities for misrepresentation in prospectus - Pre incorporation Contracts – Binding nature on Company – Promoters – Position of Promoters – duties and Liabilities of Promoters in respect of agreements entered on behalf of proposed Companies - Shares – Kinds of Shares – Allotment of Shares – Statutory Restrictions – Share

Certificate – Its objects and effects – Transfer of shares – Restrictions on transfer – Refusal of Transfer – Kinds of Share Capital – Alteration and Reduction of Share Capital – Forfeiture and surrender of shares - Conversion of loans and debentures into capital – Members of a Company – Modes of Acquisition of Membership.

**Unit – III:** Securities Contracts (Regulation) Act, 1956 – Definition of Securities, Derivative and Contract – Depositories Act, 1996 – Salient Features – Foreign Exchange Management Act, 1999 – Regulation and Management of Foreign Exchange - Control of Imports and Exports -

**Unit – IV:** Meaning and Definition of Stock Exchange – Recognised Stock Exchanges – Listing of securities – Securities Appellate Tribunal – Constitution , Powers and Functions – Appeals against the orders of Securities Appellate Tribunal – Securities and Exchange Board of India Act, 1992 – Establishment of the Securities and Exchange Board of India – Constitution , Powers and Functions – Registration of Stock Brokers – Sub brokers and Share Transfer Agents etc., - Inside Trading – SEBI ( Insider Trading Regulations) 1992.

#### **Select Bibliography:**

1. Palmer:– Company Law.
2. Ramayya: Guide to the Companies Act, in three volumes, 13<sup>th</sup> Edn. 1995  
Wadhwa and Company, Nagpur.
3. Avtar Singh: Company Law, Eastern Book Company, 12<sup>th</sup> Edn. 1999.
4. H.K.Saharay: Principles and Practice of Company Law in India. Prentice Hall of India Private Limited, II Edn. 1984, New Delhi.
5. S.M.Shah: Lectures on Company Law, N.M.Tripathi Private Ltd. Bombay.
6. Chalesworth & Cain :Company Law, 12<sup>th</sup> Edn. Geoffrey Morse, Stevens and Sons, London.
7. Pennigton: Company Law, Butterworths, London. Taxmann’s Publications Journal on SEBI and Corporate Laws.

## **PAPER – II LAW OF BANKING AND NEGOTIABLE INSTRUMENTS**

**Unit-I:** Historical back ground and Evolution of Banks – Nationalisation of Banks – Social Control on Banks - Reserve Bank of India - Organisation, Functions and its Promotional Role – The Banking (Regulation) Act, 1949 – Salient Features – Co-Operative Banks and Banking Regulation Act - Functions of Commercial Banks – Social Banking - Application of New Technology in Banking.

**Unit-II:** Definition of Banker and Customer - Relationship between Banker and Customer – Relation of Debtor and Creditor – Principal and Agent – Trustee and Beneficiary – Bailee and Bailor etc., – Special types of customers – Customer accounts – Overdrafts – Obligations of Paying Banker – Limitations on Banker’s duty to Honour Customer’s Cheque – Payment in Due Course and When Payment must be Refused - Statutory Protection to Paying Banker - Collecting Banker - Obligations of Collecting Banker – General Duty of Collecting Banker

in Collection of Cheques - Conversion - Statutory Protection to Collecting Banker - Lawful dishonour of Cheques – Effect of Wrongful dishonor of Cheques.

**Unit-III:** Guarantees as security for Banker’s advances - Bank Guarantees – Kinds of Bank Guarantees – Limited and Continuing guarantee - Rights and Obligations of Bankers Against Surety – Rights of Surety – Termination of Guarantee - Bank as a Guarantor - Letter of Credit - Types of Letters of Credit – Advances secured by collateral securities – Advances against goods and Documents of titles to Goods - Banker’s Right of General and Particular Lien – Banker’s Right to Set-Off - Appropriation of payments - Clay tons Rule –Paying Banker.

**Unit-IV:** Negotiable Instruments – Definition and Characteristics – Kinds of Negotiable Instruments - Deemed Negotiable instruments and Essential features – Holder, Holder in due course and Holder for value - Types of Cheques - Crossing of Cheques — Information Technology Act, 2000 and Truncated Cheques – Endorsement - Effect of Endorsement – Liability and discharge of Endorser – Discharge from Liability of Notes, Bills and Cheques.

#### **Select Bibliography:**

1. Sheldon: Practice and Law of Banking – 7<sup>th</sup> Ed., 1990 Pitman Publ., Toronto.
2. Tannan: Banking Law and Practice in India –20<sup>th</sup> Ed., 1999.India Law House, New Delhi.
3. Lord Chorley and P.E.Smart : Leading Cases in the Law of Banking, 6<sup>th</sup> Edn., 1990.
4. Bashyam and Adiga :17<sup>th</sup> Ed., 1994, Bharat Law House, New Delhi.
5. Arora Kalra: All India Banking Law Judgements in 4 Vols. 2<sup>nd</sup> Ed., 1994, Punjab Law Agency, Delhi.
6. L.C.Goyle : Law of Banking and Bankers, 1st Ed., 1995,Eastern Law House, New Delhi.

### **PAPER-III RESEARCH METHODOLOGY**

**Unit – I:** Meaning of Research – Scope and Importance of Research - Types of Research – Scientific Method – Social Science Research – Legal Research – Application of Scientific Method to the study of Socio legal phenomena- limitations and difficulties - Application of Methods of Social Research to Legal Research – Scope and importance of Legal Research.

**Unit – II:** Identification and formulation of Research Problem – Analytical and Case Study Method – Doctrinal and Non- Doctrinal Research – Formulation of Research design – Research Questions - Hypotheses.

**Unit – III:** Collection of Data - Research Tools and Techniques for Collection of Data - Survey of available literature and Bibliographical Research - Legislative Material including Subordinate Legislation, Notification and Policy Statements – Court Decisions including Foreign Decisions - Observation – Questionnaire – Schedule – Interview – Sampling techniques – Types of sampling.

**Unit – IV:** Data processing and analysis – Use of Statistics in the analysis and interpretation of data – Classification and Tabulation of Data – Explanation of Tabulated Data – Analysis of Data - Use of computers in Legal Research – Report writing – Essential elements of Legal Research Report Writing - Legal Research and Law Reforms.

**Select Bibliography:**

1. Goode & Hatt : Methods in Social Research : Mc.Graw – Hill Book Company, Singapore 1981.
2. C.R.Kothari: Research Methodology: Methods and Techniques, 2<sup>nd</sup> Edition, Wishwa Prakasham, New Delhi,1995
3. Wilkinson & Bhandarkar: Methodology and Techniques of Social Research, 9<sup>th</sup> Edition, Himalaya Publishing Housing, Bombay Delhi- Narpur 1994.
4. Good and Hatt : Methods in social research
5. Lohn : Tools of Social Science
6. Patten : Surveys, Tools and samples
7. Meles O. Price and harry : Effective legal Research, 4<sup>th</sup> Edn, Boston (mass) Bitner little,1979.
8. Erwin C.Surveny : Guide to Legal Research,Buffalor (N.Y) Ocena and others 1959.
9. Destinger : Research Methods in Behaviour Sciences.
10. David Lloyd : Finding in law, a guide to legal research, Debbs Ferry(N.Y) Oceana 1974.

## IV – SEMESTER

### PAPER – I CORPORATE LAW - II

**Unit –I:** Company Management - Directors – Legal status – Qualifications and Appointment of Directors – Vacation of Office – Removal and Resignation of Directors - Powers, Duties and liabilities of Directors – Remuneration of Directors – Independent Directors – Director’s Meetings - Loans to Directors - Compensation for Loss of Office – Managing Director and other Managerial Personnel – Company Secretary - Meetings of a Company – kinds of Meetings - procedure – Requisites of a valid Meeting – Resolutions and Minutes.

**Unit –II:** Dividends - Accounts and Audit – Auditors of a Company – Qualification, Disqualification, Powers and Duties of Auditors - Borrowing and Lending Powers of the Company – Investment – effects of Unauthorized Borrowing – Debentures – Meaning – Kinds of Debentures – Fixed and Floating Charge - Shareholder and Debenture Holder - Protection of Minority Rights – Rule in Foss V. Harbottle – Prevention of Oppression and

Mismanagement – Who can apply – When can he apply – Power of the Court and of the Central Government – Company Law Board – Powers and Functions –

**Unit – III:** Compromises, Arrangement, Reconstruction and Amalgamation – Mergers and Acquisitions - Nature and scope – Defunct Company - Winding Up – Types of Winding – Winding up by Court – Reasons and Grounds – Who can apply – Procedure – Powers of Liquidator – Powers of Court – Consequences of Winding up Order – Voluntary Winding up by Members and Creditors – Liability of Past members – Payment of Liabilities – Preferential Payment.

**Unit – IV:** - Corporate Governance and its Importance - Corporate Governance in India, U.S.A. and England – Reports of Various Committees on Corporate Governance – Role of SEBI (Clause 49 of Listing Agreement) – Corporate Governance Voluntary Guidelines - Corporate Social Responsibility – National Corporate Social Responsibility Policy, 2012 – Corporate Social Responsibility Voluntary Guidelines - Corporate Social Responsibility and Provisions under Company Law - Transnational Corporations and Corporate Social responsibility.

**Selected Bibliography:**

1. Palmer: Company Law.
2. Ramayya : Guide to the Companies Act, in three volumes, 13<sup>th</sup> edn. 1995 ,Wadhwa and Company, Nagpur.
3. Avtar Singh : Company Law, Eastern Book Company, 12<sup>th</sup> Edn. 1999.

**PAPER – II LAW OF INSURANCE**

**Unit –I:** Indian Insurance Law – History And Development - Growth of Insurance Business in India – Definition of Insurance –Principle of Utmost Good Faith (Uberrimae fides) - Various kinds of Insurance - Contract of Insurance - Classification of Insurance Contracts - Kinds of Insurance Policies - Insurable Interest and Indemnity - Premium – The Risk – Commencement, Attachment and Duration – Assignment and Alteration - Special Doctrines relating to insurance-Doctrine of Reinstatement- Doctrine of Subrogation- Doctrine of Contribution- Proximity clause.

**Unit –II:** Life Insurance - Nature and Scope – Life Insurance Corporation of India Act, 1956 - Circumstances affecting the Risk – Amounts recoverable under the Life Policy – Persons entitled to payment – Insurance against Third Party Risks - Nature and Scope – The Motor Vehicles Act, 1988 - Marine insurance- Definition and Nature - Classification of Marine insurance Policies- The Marine Insurance Act, 1963 - Marine Claims- Voyage - Deviation - Perils of Sea- Warranties in Marine Insurance.

**Unit- III:** Nature of Fire Insurance Contract- Meaning of the word ‘fire’ – Scope of Fire Policy - Right to Contribution – Principle of Reinstatement- Double Insurance and

Reinsurance – Doctrine of Approximation- Burglary Insurance - Carriage of Goods By Road – Law of Carriage By Sea- The Carriers Act 1865 - The Carriage By Sea Act, 1925 - The Air Act 1972.

**Unit – IV:** Insurance Regulation in India - Purpose of Compulsory Insurance and Rights of Third Parties – Public Liability Insurance – Public Liability Insurance Act, 1991 - Adjudicating Authorities of Insurance Claims – Role of the Ombudsman - The Insurance Act, 1938 – Insurance Regulatory and Development Authority Act, 1999 – Salient features - Powers and Functions of The Insurance Regulatory and Development Authority - IRDA Regulations, 2000 – Role of IRDA on Insurance Companies.

**Selected bibliography:**

1. K.S.N. Murthy and KVS. Sharma : Modern Law of Insurance in INDIA, 1995, New Delhi, Triapthi Pvt, Ltd, BOMBAY.
2. Ravi Pulirani and Mahesh Pulirani: Manual of Insurance Law, 2001, Ed. Bharat Law House Ltd., New Delhi
3. Brij Nandan Singh : Insurance Law , University Book Agency, Allahabad
4. Michael PARKINGTON : Insurance Law , 1975, Sweet and Maxwell, London
5. M.N. Srinivasan : Law of Insurance
6. Bhattacharya : Law of Insurance
7. Dr.M.N. Mishra : Law of Insurance
8. Haring and Eevenly : General Principles of Insurance

**PAPER – III CONSUMER PROTECTION LAWS**

**Unit I:** Common Law and the Consumer - Consumerism - Consumer Protection and United Nations declarations and Conventions - Consumer Protection Act, 1986 - Salient features of the Act - Definition of Consumer - Rights of Consumers - Defects in Goods and Deficiency in Services – Redressal Machinery under the Consumer Protection Act – Consumer Protection Councils - Liability of the Service Providers, Manufacturers and Traders under the Act – Remedies.

**Unit II:** Unfair Trade Practices and Consumer Protection Act- Acts which amount to Unfair Trade Practices – Remedies against Unfair Trade Practices – Intellectual Property and Consumer Protection Law - Trade Marks and Consumer Protection - Standard Form Contracts and Consumer Protection - Unfair Contract Terms and Consumer Protection - Advertising and Consumer Protection.

**Unit III:** Food Adulteration and Consumer Protection - Important Provisions relating to Consumer Protection of The Prevention of Food Adulteration Act, 1954 – Genetically Modified Food and Consumer Rights - Drugs and Cosmetics Act, 1940 – Essential Commodities Act, 1955 - Food Safety and Standards Act, 2006.

**Unit IV:** History of Competition Law - Objectives of Competition Law – Definition of Competition – MRTP Act, 1969 - Competition Act, 2002 – Anti-competitive Agreement - Prohibition of anti-competitive agreements - Cartel and Cartelization - Abuse of Dominant Position - Discriminatory practices - Competition Commission of India - Establishment and Composition – Powers and Duties - Procedure for inquiry – Competition Advocacy.

**Select Bibliography:**

1. B.L. Wadehra      Law Relating to Patents, Trade Marks Copyright and Designs (1999)
2. P. Narayana        intellectual Property law, (2000)
3. G.B. Reddy         Intellectual Property Rights and the Law (2000)
4. N.K. Acharya      Text Book on Intellectual Property rights (2001)
5. G.O. Taperell      Trade Practices and Consumer Protection (Butterworths) 1983.
6. V.K. Agarwal      Consumer Protection in India 1989

**PAPER-IV                      DISSERTATION**

**Allotment and Nature of Topics of Dissertation**

1. **Students shall submit their three (3) research topics in order of preference to the Principal of the college in the first week of the beginning of the IV semester.** Principal shall, in consultation with the Departmental Committee, allot the topic and guide to the students by the III week of the IV semester.
2. (a) The topic shall relate to student's specialization and a specific area of enquiry. (b) The topic would be so delimited that the student is required to go beyond the standard text-books and to consult the reference material or conduct field study for preparing his/her Dissertation. As far possible the contents of the Dissertation shall be the following, depending upon the nature of the topic assigned: (i) Collection of relevant material-Judicial, Legislative, Juristic, comparative and international and/or otherwise. (ii) Critical analysis and appreciation of this material. (iii) Proper citation of necessary reference consulted and relied upon. (iv) Empirical data when the Dissertation is non-doctrinal (field visit).
3. (a) The students shall prepare three typed copies of Dissertation and submit to the Principal of the college. (b) No candidate shall be allowed to publish the Dissertation, submitted to the University without prior written sanction of University.
4. The Dissertation shall run into minimum of 150 pages.
5. **Students shall submit their Dissertation/Thesis on or before the last working day of the IV Semester. Dissertation submitted afterward will not be evaluated for/during that academic year.**

## V. RULES OF PROMOTION

Rules of Promotion are as under:

S.No.	Semester	Condition to be fulfilled for promotion
1.	From I to II	Should have undergone a regular course of study of Semester-I and, registered and appeared at least one examinations of Semester -I.
2.	From II to III	Should have undergone a regular course of study in each of Semester-I and Semester-II and, registered and should have passed in at least Three (3) papers of I and II semester put together .
3.	From III to IV	Should have undergone a regular course of study in each of Semester I, II, and III and, registered and appeared at least one examinations of Semester -III.

- **Candidate has to complete his LL.M course with in the period of four academic years from the date of admission.**

## VI. AWARD OF DIVISION

Candidates who have passed all the examinations of the LL.M. Degree Course shall be awarded Divisions in accordance with the total aggregate marks secured by them in all the Semester Examinations taken together.

1. First Division with Distinction : 70% and above.
2. First Division : 60% and above but less than 70%
3. Second Division : 50% and above but less than 60%

Candidates who have not passed the examination in the first attempt along with the batch in which they were admitted are not eligible for getting Rank Certificates/Gold Medals/Prizes.

## VII. IMPROVEMENT OF DIVISION

### 1. Paper-wise Improvement

- a) When a candidate has passed in one or more papers/subjects in the first attempt in the regular\* examination(s) conducted by the University for his/her batch, paper-wise improvement is permissible only in those papers.

- b) A candidate is permitted to appear for paper-wise improvement only once for a semester examination.
- c) A candidate who wishes to improve his/her performance may be permitted to do so if he/she appears in the immediate next examination conducted by the University.

**NOTE:** \* Regular examination means an examination conducted at the end of the semester for which the candidates were admitted and had undergone instruction.

- (d) A candidate appearing for paper-wise improvement is permitted to have the better of the two awards for the purpose of award of division.

1. **Improvement in Aggregate:** Improvement in aggregate is permitted only after the candidate exhausted the chances of paper-wise improvement as per the following conditions:

- a) Aggregate improvement is limited to a period of two years after passing the final semester examination.
- b) For the purpose of securing aggregate, a candidate may appear for one or more of the papers of any semester. Further the candidate has to appear for improvement examination as per the scheme of examination and syllabus in vogue at the time of taking his/her examination.
- c) When a candidate appears for improvement in any semester/semesters, he/she may be permitted to have the better of the two aggregates i.e., the original or improvement.
- d) The candidate is allowed for improvement in aggregate by appearing not more than two times for any semester.

**NOTE:** Candidates who appear for Improvement of performances under category (a), (b), (c) and (d) above are not eligible for the award of Distinction/Prizes/Medals/Merit Certificates etc.

## **VIII. GENERAL RULES OF EXAMINATIONS**

1. Application for permission to appear at every examination shall be made by the candidate on the prescribed form, accompanied by three passport size full face photographs (not profile) along with the necessary certificates, and the prescribed fee. The application should be submitted to the concerned Principal on or before the date fixed for this purpose. The Principal after verifying the eligibility of the candidate, forward the application to the Examination Branch.
2. When a candidate's application is found in order, the Controller of Examinations shall send the attested Hall Ticket with photograph of the candidate affixed to it to the Principal of the College who will issue Hall Ticket to the candidate only if he is satisfied with all the conditions to be complied with by the candidate regarding the eligibility criteria. The Hall ticket thus issued to the candidate shall have to be produced by the candidate before he/she can be admitted to the premises where the examination is held.

3. A candidate after having been declared successful in all semester examinations of the course, shall be given a certificate setting forth the year of examination, the subjects in which he/she was examined and the Division secured.
4. No candidate shall be allowed to pursue more than one degree course simultaneously.

#### **IX. TRANSITORY PROVISIONS**

Whenever a course or scheme of instruction changed in a particular year, two more examinations immediately following thereafter shall be conducted according to the old syllabus/regulations. Candidates not appearing at the examinations or failing in them shall take the examination subsequently according to the changed syllabus/regulations.

**All the rules and Regulations are equally applicable to private affiliated law colleges.**