

TENTH SEMESTER B.B.A., LL.B. (HONOURS) DEGREE EXAMINATION
NOVEMBER 2020

B.B.A., LL.B.

FOREIGN TRADE LAW

Time : Three Hours

Maximum : 75 Marks

Part A

*Write short notes on any six of the following.
Each question carries 5 marks.*

1. ECOSOC.
2. UNCTAD.
3. Anti-dumping.
4. GST.
5. Current Account Transactions.
6. Export Promotion Council.
7. TRIPS.
8. UNDP.

(5 × 6 = 30 marks)

Part B

*Answer any two questions.
Each question carries 10 marks.*

1. Explain the provisions relating to dispute settlement under WTO ?
2. What are the provisions regarding the Regulation of Foreign Trade in India ?
3. Explain the concept of GST in regard to Indian Taxation context ?

(2 × 10 = 20 marks)

Part C

*Answer any two questions.
Each question carries 12.5 marks.*

1. What are the restrictions on dealings in foreign exchange under FEMA ?
2. What are Quantitative Restrictions under WTO ? How far they are effective in fixing foreign.
3. How far UNDP is successful in ensuring development in developing countries ? Write with Examples ?

(2 × 12.5 = 25 marks)

**TENTH SEMESTER B.B.A., LL.B. (HONOURS) DEGREE EXAMINATION
NOVEMBER 2020**

B.B.A., LL.B.

INFORMATION TECHNOLOGY LAW

Time : Three Hours

Maximum : 75 Marks

Part I

Answer any six questions.

Each question carries 5 marks.

1. Write on jurisdiction in Cyber Space.
2. Discuss consumer protection in sale through internet.
3. Explain about 'access'.
4. Write a note on Cyber Crime.
5. Examine right to privacy in the use of internet.
6. Discuss about identity theft.
7. Explain about Computer Network.
8. Discuss about legal recognition of electronic signature.

(6 × 5 = 30 marks)

Part II

Answer any two questions.

Each question carries 10 marks.

1. Write on the law on spread of obscene material in internet.
2. Discuss the functions of Intermediary under Information Technology Act.
3. Explain the powers of Cyber Appellate Tribunal.

(2 × 10 = 20 marks)

Part III

Answer any two questions.

Each question carries 12.5 marks.

1. Explain the enforceability of internet contract in India.
2. Analyse Damages which can be caused to computer system under Information Technology Act.
3. Discuss about Defamation in Internet.

(2 × 12.5 = 25 marks)

**TENTH SEMESTER B.B.A., LL.B. (HONOURS) DEGREE EXAMINATION
NOVEMBER 2020**

B.B.A., LL.B.

INDIRECT TAXATION

Time : Three Hours

Maximum : 75 Marks

Part A

*Answer any six questions.
Each question carries 5 marks.*

1. What is the role and functions of GST Council ?
2. What is the meaning and scope of 'Supply' under The Kerala State GST Act, 2017 ?
3. How to determine the tax liability of Composite and Mixed Supplies ?
4. What is meant by Provisional Assessment under The Customs Act, 1962 ?
5. Write a note on refund of Export duty.
6. Briefly examine the powers of the Central Excise officers.
7. What is the basis for the calculation of Excise Duty payable ?
8. What is meant by 'manufacture' under The Central Excise Act, 1944 ?

(6 × 5 = 30 marks)

Part B

*Answer any two of the following.
Each question carries 10 marks.*

1. ABC Company manufactured a product and sold it to its subsidiary company XYZ company for Rs. 100. XYZ company sold the same product to the buyer for Rs. 4,500. The department claimed excise duty on the subsequent sale. The claim was challenged. Decide.
2. Samples of certain drugs are given to doctors for free. Decide the Excise duty liability of the transaction.
3. Mr. A is liable to pay Rs. 99 as customs duty, but he failed to pay it. What action can be initiated against him under The Customs Act ?

Turn over

4. Raj booked a Rajdhani train ticket which includes meal. The authorities imposed different GSTs for journey and food. Decide the validity of the action of the authorities.

(2 × 10 = 20 marks)

Part C

Answer any two of the following.

Each question carries 12.5 marks.

1. Define GST. What are the benefits of GST ? Examine the changes introduced in the Constitution for the introduction of GST in India.
2. What is meant by warehousing ? What are the legal provisions governing warehousing under The Customs Act, 1962 ?
3. Discuss the provisions governing settlement of cases under The Central Excise Act, 1944 ?
4. Examine the features of Dual GST system in India. What is meant by IGST ?

(2 × 12.5 = 25 marks)

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**TENTH SEMESTER B.B.A., LL.B. (HONOURS) DEGREE EXAMINATION
NOVEMBER 2020**

B.B.A., LL.B.

BANKRUPTCY AND INSOLVENCY LAW

Time : Three Hours

Maximum : 75 Marks

Part A

Answer any six questions in not exceeding 500 word each.

Each question carries 5 marks.

1. Explain the contents of an insolvency petition under Provincial Insolvency Act.
2. Write a note on voluntary winding up of a banking company.
3. What is the procedure of acquisition of rights or interest in financial assets of a securitisation or reconstruction company ?
4. Explain fraudulent preference.
5. Mention the circumstances which a company is deemed to be unable to pay its debts.
6. Ex debito justitiae.
7. State the purpose of public examination of Directors and auditors of a banking company by liquidator.
8. State the conditions on which debtor may petition in an insolvency proceeding under Provincial Insolvency Act, 1920.

(6 × 5 = 30 marks)

Part B

Answer any two questions in not more than 1,000 words each.

Each question carries 10 marks.

1. A company is being wound up on account of its insolvency. Whether a person having mutual dealings with the company can claim set-off in winding up or whether he should pay what is due from him to the company and then rank as the claimant after preferential payments ?

Whether property divisible among creditors includes the property hold by company in trust ?

Discuss the criteria of preferential payments when a company is declared to be an insolvent.

Turn over

2. 'A', gifted certain property to 'B', on a subsequent instance 'A' was declared as insolvent. 'X' a creditor of 'A' while the insolvency proceedings were going in the court filed a suit in another court in respect of the debt.

Whether 'B' can claim the right over his gifted property from 'A'? Whether the suit filed by 'X' against 'A' is maintainable ?

Discuss the effect of order of adjudication under insolvency law.

3. 'X' company, who became insolvent held properties of the following kind :—
- Land of any tenure, burdened with covenants.
 - Shares or stock in companies.
 - The property which is saleable after performing all acts from the possessor.
 - Unprofitable contracts.

Discuss whether these properties can be called as onerous property? State the disclaimer of onerous property of an insolvent company.

(2 × 10 = 20 marks)

Part C

Answer any two questions in not less than 1,000 words each.

Each question carries 12.5 marks.

- Write a note on revival and rehabilitation of Sick Industrial Companies.
- Discuss about pre-insolvency rescue schemes in the case of a company.
- Explain about suspension of business and winding up of banking companies.

(2 × 12.5 = 25 marks)

**TENTH SEMESTER B.B.A., LL.B. (HONOURS) DEGREE EXAMINATION
NOVEMBER 2020**

**B.B.A., LL.B.
COMPETITION LAW**

Time : Three Hours

Maximum : 75 Marks

Part A

*Write short notes on any six of the following.
Each question carries 5 marks.*

1. Raghavan Committee Report.
2. Abuse of Monopoly.
3. Conglomerate merger.
4. Fair trading in U.K.
5. Patent pool.
6. Price Fixing.
7. Constitutional Provisions in Competition Law of India.
8. Competition Advocacy.

(6 × 5 = 30 marks)

Part B

*Answer any two questions.
Each question carries 10 marks.*

1. Discuss the relevance of anti-competitive agreements in Competition Law.
2. Analyse the role played by MRTP Act in influencing Competition Law.
3. Discuss the constitutional validity of Competition Law in India.

(2 × 10 = 20 marks)

Part C

*Answer any two questions.
Each question carries 12.5 marks.*

1. Analyse the concept of Abuse of Dominant Position in Competition Law.
2. Discuss the importance of Competition Act, 2002 in new economy policy.
3. Analysis the relevance of Merger in Competition Policy.

(2 × 12.5 = 25 marks)

**TENTH SEMESTER B.B.A., LL.B. (HONOURS) DEGREE EXAMINATION
NOVEMBER 2020**

B.B.A., LL.B.

LAW OF CORPORATE FINANCE

Time : Three Hours

Maximum : 75 Marks

Part A

*Answer any six questions
Each question carries 5 marks.*

- I. (a) Examine the regulations for Takeover of companies.
(b) What is the procedure for issue of shares by the companies ?
(c) What are the characteristics of Preference shares ?
(d) What are the different types of Share Capital ?
(e) Distinguish between Fixed charge and Floating charge.
(f) What are the sources of Corporate Finance in India ?
(g) Write a note on SEBI's control over issue of shares.
(h) Explain the principles governing allotment of shares.

(6 × 5 = 30 marks)

Part B

*Answer any two questions.
All questions carry equal marks.*

- II. Mr. X advanced a sum of money to ABC Company exceeding the limit imposed by Section 180(1) (c) of the Companies Act, 2013, i.e. aggregate of the paid-up share capital, free reserves and securities premium, without the permission of the company by special resolution. ABC Company denied its liability as the loan is invalid. Mr. X initiated an action to recover his money. Decide.
- III. A company created a Charge on all its machinery, Stock in trade and movable effects, present and future. The deed provides that the properties shall be in the possession of the lender. In a legal action one of the issue before the court was whether the charge is Floating Charge. Decide.

Turn over

- IV. Shares of a company were allotted to a minor on an application signed on his behalf by his guardian. Examine the extent of the liability of the minor in the winding up of the company.

(2 × 10 = 20 marks)

Part C

Answer any two questions.

All questions carry equal marks.

- V. What is the objective and scope of Corporate Finance ? Examine the sources of Corporate Finance ?
- VI. What is meant by Debentures ? What are the different types of debentures ? Briefly examine the rules governing debentures.
- VII. Discuss the legal framework of Investor Protection in India in Corporate Finance System.

(2 × 12.5 = 25 marks)

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**TENTH SEMESTER B.B.A. LL.B. (REGULAR/SUPPLEMENTARY) DEGREE
EXAMINATION, NOVEMBER 2021**

FOREIGN TRADE LAW

(2011 Scheme)

Time : Three Hours

Maximum : 75 Marks

Part A

*Write short notes on any six of the following.
Each question carries 5 marks.*

1. WTO.
2. DSB.
3. Export of goods.
4. Capital Account Transactions.
5. Tariffs.
6. UNCITRAL.
7. IMF.
8. GATT.

(6 × 5 = 30 marks)

Part B

*Answer any two questions.
Each question carries 10 marks.*

1. Explain the provisions relating to export of goods and services in to India.
2. What are the provisions regarding the MFN treatment under WTO ?
3. Explain the concept of Patenting under WTO regime and how far they are in tune with TRIPS Agreement.

(2 × 10 = 20 marks)

Part C

*Answer any two questions.
Each question carries 12½ marks.*

1. What are the provisions relating to Foreign Exchange Appellate Tribunal under FEMA ?
2. What are the provisins relating to Bills of Lading in Export of Goods ?
3. How far UNCITRAL Law is successful in ensuring development of Foreign Trade ?

(2 × 12½ = 25 marks)

**TENTH SEMESTER B.B.A. LL.B. (REGULAR/SUPPLEMENTARY) DEGREE
EXAMINATION, NOVEMBER 2021****INFORMATION TECHNOLOGY LAW**

(2011 Scheme)

Time : Three Hours

Maximum : 75 Marks

Part A

*Answer any six questions.
Each question carries 5 marks.*

1. What are the factors that determines the punishment under IT Act ?
2. Explain the concept of Non Discrimination.
3. Define International Space Theory.
4. Examine the legal recognition of e documents.
5. Legal consequences of Browse Wrap Agreement.
6. A note on CERT.
7. Short note on Cyber Terrorism.
8. Notes on Tampering of Computer Source Code.

(6 × 5 = 30 marks)

Part B

*Answer any two questions.
Each question carries 10 marks.*

1. Discuss the legal provisions relating to admissibility of electronic evidence in India.
2. What are the legal concerns in the anonymous and pseudonymous existence of cyberspace ?
3. Examine the International response of jurisdiction in cyber space.

(2 × 10 = 20 marks)

Part C

*Answer any two questions.
Each question carries 12½ marks.*

1. Examine the significance of Shreya Singhal V. Union of India in the development of IT Laws.
2. Define e governance and the models of e governance. Examine provisions that furthers e governance under IT Act.
3. Discuss the law relating to intermediary liability in India.

12½ = 25 marks)

**TENTH SEMESTER B.B.A. LL.B. (REGULAR/SUPPLEMENTARY) DEGREE
EXAMINATION, NOVEMBER 2021**

INDIRECT TAXATION

(2011 Scheme)

Time : Three Hours

Maximum : 75 Marks

Part A

*Answer any six questions.
Each question carries 5 marks.*

1. Define 'Manufacture' for the purpose of Excise duty.
2. Write a note on Goods and Service Tax Council.
3. Explain the power of the customs officer to arrest a person.
4. Briefly examine the objectives of Customs duty.
5. What are the purposes for which the Central Government can prohibit the import or export of any specified goods ?
6. Examine the benefits of Goods and Services Tax System.
7. Write a note on Excisable goods.
8. What is meant by Composite Supply and Mixed Supply ?

(6 × 5 = 30 marks)

Part B

*Answer any two questions.
Each question carries 10 marks.*

1. Certain Excisable Rubber Goods are produced in a special economic zone in India. The authorities imposed excise duty on the products. It is challenged. Decide.
2. The selling price of a product is Rs. 10,000. It includes Rs. 1,000 excise duty and Rs.100 education cess. Determine the Assessable value.
3. ABC Company exported an item to US and paid customs duty. After three years the same product is resold to ABC Company. ABC Company claimed refund of the Customs duty paid earlier. Decide.
4. Some goods are packed and transported with insurance as a bundled supply. The authorities imposed GST separately on the goods, packing of goods, transportation and insurance. It is challenged by the assessee. Decide.

(2 × 10 = 20 marks)

Turn over

Part C

*Answer any two questions.
Each question carries 12½ marks.*

1. Examine the historical evolution of GST in India.
2. Explain the principles governing levy and collection of Excise Duty.
3. Discuss the various types of Customs Import Duties.
4. What are the changes introduced in the Indian Constitution for the introduction of Goods and Service Tax regime ?

(2 × 12½ = 25 marks)

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**TENTH SEMESTER B.B.A. LL.B. (REGULAR/SUPPLEMENTARY) DEGREE
EXAMINATION, NOVEMBER 2021**

BANKRUPTCY AND INSOLVENCY LAW

(2011 Scheme)

Time : Three Hours

Maximum : 75 Marks

Part A

Answer any six questions in not exceeding 500 words each.

Each question carries 5 marks.

1. State the procedure of appointing an interim receiver in an insolvency petition.
2. Discuss conversion of voluntary winding up into winding up by court.
3. Write a note on winding up of non-banking financial corporations by Reserve Bank of India.
4. State the essentials in a report by official liquidator of a company.
5. Explain about the contributories in case of insolvency of member of a company.
6. Explain the modes of recovery of debts by debt recovery tribunal.
7. Explain when the winding up of a company commences.
8. What is AAIFR ?

(6 × 5 = 30 marks)

Part B

Answer any two questions in not more than 1,000 words each.

Each question carries 10 marks.

1. 'X', an individual has been declared as insolvent under Provincial Insolvency Act. He owes debt to municipal council and also wages to his servant.

Discuss the priority of distribution.

For a partnership firm, whether the partnership property can be given first priority for settling the debts of the firm.

In the calculation of dividends the receiver retained disputed proofs. Can he do so ? If so mention the provision for the same.

2. (a) 'A' transferred all or substantially all his property to a third person for the benefit of his creditors in India or elsewhere.

Turn over

- (b) 'A' makes a transfer of his property or any part thereof with intent to defeat or delay his creditors in India or elsewhere.

Decide whether these aforesaid propositions will come under acts of insolvency.

Discuss what all matters will come under acts of insolvency in Provincial Insolvency Act.

3. 'A' is owing an amount of Rs. 7,000 and some unliquidated amount to 'B', his creditor, 'B' filed an insolvency petition against 'A'. The act of insolvency has occurred within two months before the presentation of the petition.

Decide whether this petition is maintainable.

Explain about the conditions on which creditor may petition and conditions on which debtor may petition

(2 × 10 = 20 marks)

Part C

Answer any two questions in not less than 1,000 words each.

Each question carries 12½ marks.

1. Discuss about the circumstances which a company shall be deemed to be unable to pay its debts.
2. Explain about the appointment of receiver by Court and appointment of official receiver by State Government under Provincial Insolvency Act, 1920.
3. Discuss about the composition, function and powers of National Company Law Tribunal.

(2 × 12½ = 25 marks)

**TENTH SEMESTER B.B.A. LL.B. (REGULAR/SUPPLEMENTARY) DEGREE
EXAMINATION, NOVEMBER 2021**

COMPETITION LAW

(2011 Scheme)

Time : Three Hours

Maximum : 75 Marks

Part A

*Write short notes on any six of the following.
Each question carries 5 marks.*

1. Director General of Competition in India.
2. Predatory Pricing.
3. Whistle Blower Policy.
4. Leniency Programmes.
5. FTC and OFT.
6. Agreement.
7. Abusive Practices.
8. Restraint of Trade Doctrine.

(6 × 5 = 30 marks)

Part B

*Answer any two questions.
Each question carries 10 marks.*

1. What do you mean by Relevant Market ? What are the various methods to determine market relevant market ?
2. What do you mean by competition ? Explain the scope and purposes of competition law.
3. Examine the scope of Private Enforcement of Competition Law.

(2 × 10 = 20 marks)

Part C

*Answer any two questions.
Each question carries 12½ marks.*

1. Explain in detail regulation of anti-competitive agreements in the market under Competition Law.
2. What are the various types of combinations which falls under the Competition Act, 2002 ?
3. Discuss the history and development of competition law in India.

(2 × 12½ = 25 marks)

**TENTH SEMESTER B.B.A. LL.B. (REGULAR/SUPPLEMENTARY) DEGREE
EXAMINATION, NOVEMBER 2021**

LAW OF CORPORATE FINANCE

(2011 Scheme)

Time : Three Hours

Maximum : 75 Marks

Part A

*Answer any six questions.
Each question carries 5 marks.*

- I. (a) What is meant by 'Floating Charge' ?
(b) Write a note on "Sweat equity shares".
(c) Briefly examine the sources of Corporate Finance in India.
(d) What is meant by Amalgamation ?
(e) What is the role of Prospectus in issue of shares ?
(f) Examine 'Audit Committee' under the Companies Act, 2013.
(g) Explain the consequences of *ultra vires* borrowing.
(h) What is meant by Intercorporate loans.

(6 × 5 = 30 marks)

Part B

*Answer any two questions.
Each question carries 10 marks.*

- II. RRR Co. Ltd. borrowed Rs. 1 Crore from 'X' to repay a lawful debt of the company. The loan from 'X' is an *ultra vires* transaction. 'X' initiated an action against the company for the recovery of the loan. Decide.
- III. ABC Co. issued debentures to the investors and created a Debenture Redemption Reserve Account. In 2019 the ABC Company withdrawn Rs. 25 lakhs from the Debenture Redemption Reserve Account for the payment of dividend to Equity share holders. It was challenged in a legal action. Decide.
- IV. A company lend Rs. 1,00,000 to its directors for purchase of its fully paid shares. Decide the validity of the transaction.

(2 × 10 = 20 marks)

Turn over

Part C

*Answer any two questions.
Each question carries 12½ marks.*

- V. Explain the role of SEBI in regulation of securities market in India.
- VI. What are the legal principles governing issue and allotment of Equity Shares ?
- VII. Examine the provisions under the company law which provides for the protection of the minority shareholders.

(2 × 12½ = 25 marks)

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**TENTH SEMESTER B.B.A. LL.B. (REGULAR/SUPPLEMENTARY) DEGREE
EXAMINATION, NOVEMBER 2021**

INSURANCE LAW

(2011 Scheme)

Time : Three Hours

Maximum : 75 Marks

Part A

*Answer any six questions in not exceeding 500 words each.
Each question carries 5 marks.*

1. Explain the powers and functions of Motor Accident Claim Tribunal.
2. What are the procedures to be followed in settling Life Insurance Policy claims?
3. Define insurable interest and its importance in insurance contract.
4. What are the basic principles that governs a fire insurance contract ?
5. Discuss the main objectives of Employees State Insurance Act, 1948.
6. Difference between property insurance and liability insurance.
7. What are the essential features of life insurance contract ?
8. Define marine insurance and discuss its importance.

(6 × 5 = 30 marks)

Part B

*Answer any two questions in not more than 1,000 words each..
Each question carries 10 marks.*

1. Mr. Nikson was engaged in the business of exporting marine products and he was the owner of a number of vehicles which were duly insured. There was a collision between two lorries owned by Nikson due to the fault of one of the lorry driver who was driving the vehicle in a drunken stage. The insurance company paid the amount for making good of the vehicle which was running in the safe manner and filed a suit against Nikson claiming damages being the owner of the vehicle at fault. Decide whether the insurance company can claim damages.
2. A cargo of rice was insured by a marine policy against perils of sea. Rats gnawed a hole in the pipe which passed through the cargo. Sea water entered through the hole and damaged the rice. The insured approached the insurer claiming amount for the loss incurred. Decide whether the insurer is liable.

Turn over

3. Mr. Ajay had taken a life insurance policy from Saxon Life Insurance Company and after one year submitted a proposal to Zener Life Insurance Company for another life insurance policy. Among the questions that the insured was required to answer in the proposal form was whether he was currently insured or had previously applied for life insurance, critical illness or accident benefit cover. The insured answered this question in the negative. For the specific questions regarding other insurance also the insured had given his answer as Not Applicable. Zener issued insurance policy. After one and half years of the second insurance, the insured died due to kidney failure. Mrs. Ajay, nominee in the insurance policy, approached Zener Life Insurance Company and her claim was rejected. Mrs. Ajay wants to seek legal remedy. Advice.

(2 × 10 = 20 marks)

Part C

Answer any two questions in not less than 1,000 words each.

Each question carries 12½ marks.

1. Critically evaluate the role of Insurance Regulatory Development Authority in monitoring insurance sector.
2. Explain the concept of Third Party Insurance or Compulsory Insurance. Also examine the rights of third parties and limitations on their rights.
3. Explain the nature of Insurance contract and the essential requirements of contract of insurance.

(2 × 12½ = 25 marks)

**TENTH SEMESTER B.B.A. LL.B. (REGULAR/SUPPLEMENTARY) DEGREE
EXAMINATION, NOVEMBER 2021**

LAW OF CARRIAGES

(2011 Scheme)

Time : Three Hours

Maximum : 75 Marks

Part A

Write short notes on any six questions.

Each question carries 5 marks.

1. Define 'common carrier' under Carriers Act.
2. Explain Hamburg Rules.
3. Write on Warsaw Convention.
4. Write on Carrier's lien.
5. Define Demurrage.
6. Explain Bill of lading.
7. What are the objectives of Carriage of Goods by Sea Act 1925 ?
8. Examine FOB contract.

(6 × 5 = 30 marks)

Part B

Answer any two questions.

Each question carries 10 marks.

9. The ship owner handed over goods to the Port authority. The consignee while removing them, found them in a damaged state. The carrier contends that goods were handed over in good condition at the Port to the Port authorities. Discuss the liability of the carrier.
10. Ramesh had confirmed reservation in Air India, but he was not allowed to travel on the particular day. His visa expired and he lost his job. Advise him.
11. Wheat was consigned to be carried in closed wagons in the train, but they being not available, railways carried the consignment for their own convenience as per the consent of the sender in open wagons covering only with tarpaulin. The goods were damaged due to rain and wet air condition. Discuss the remedy if any available to the sender.

(2 × 10 = 20 marks)

Turn over

Part C

*Answer any two questions.
Each question carries 12½ marks.*

12. Analyse CMR convention.
13. Examine how liability for death is enforced under the Air Act.
14. Discuss the powers and functions of Railway Claims Tribunal.

(2 × 12½ = 25 marks)

CHMK LIBRARY UNIVERSITY OF CALICUT

**TENTH SEMESTER B.B.A. LL.B. (REGULAR/SUPPLEMENTARY) DEGREE
EXAMINATION, NOVEMBER 2021**

BANKING LAW

(2011 Scheme)

Time : Three Hours

Maximum : 75 Marks

Part A

*Write short notes on any **six** questions in not exceeding 500 words each.
Each question carries 5 marks.*

1. Explain the definition of banker and customer.
2. Difference between CRR and SLR.
3. Examine the power of RBI in issuing currency notes.
4. Explain the Right of lien of banker.
5. Examine the role of NABARD.
6. Examine the sound principles of lending.
7. Limitation is a bar in recovery of dues by banks. Explain.
8. Explain the rules in joint accounts with mode of operation "either or survivor".

(6 × 5 = 30 marks)

Part B

*Answer any **two** questions.
Each question carries 10 marks.*

1. A minor opened an account and the cheque issued by him was dishonoured. Examine whether the instrument is valid and if so the liability of minor. Also discuss the legal condition if the cheque issued by the minor was dishonoured after attaining majority.
2. Bank had wrongly made a credit of Rs.50,000 in the savings bank account of their customer which was withdrawn by that customer. Examine whether the bank can recover the amount.
3. Mr. Santhosh who is having three loan accounts in a bank with dues of Rs. 1,25,000. Rs. 1,50,000 and Rs. 2,50,000 had remitted Rs. 1,25,000 without informing to which account the amount has to be credited. The third loan with dues of Rs. 2,50,000 is already barred by limitation. Advice the bank. What will happen if the bank is not taking a decision.

(2 × 10 = 20 marks)

Turn over

Part C

Answer any two questions.

Each question carries 12½ marks.

1. Examine the role of Reserve Bank of India as the Central Bank of the Country.
2. Explain the duties of banker towards the customer.
3. Differentiate paying banker and collecting banker and also discuss the statutory protection available to paying banker.

(2 × 12½ = 25 marks)

CHMK LIBRARY UNIVERSITY OF CALICUT

**TENTH SEMESTER B.B.A., LL.B. (HONOURS) DEGREE EXAMINATION
NOVEMBER 2020**

B.B.A., LL.B.

INSURANCE LAW

Time : Three Hours

Maximum : 75 Marks

Part A

Answer any six questions in not exceeding 500 words each.

Each question carries 5 marks.

1. Explain the powers and functions of Insurance Regulatory Development Authority.
2. What are the procedures to be followed in Nomination in life insurance contracts ?
3. Explain the procedures to be followed in assignment of life insurance policies.
4. Examine the application of Doctrine of subrogation in insurance.
5. Explain the features of fire insurance contract.
6. Examine the application of the maxim *Causa proximo non remota spectator* in insurance.
7. Difference between perils included and perils excluded in marine policies.
8. Write notes on Employee State Insurance Corporation.

(6 × 5 = 30 marks)

Part B

Answer any two questions in not more than 1,000 words each.

Each question carries 10 marks.

1. Mr Ramesh is doing the business of garment exports and he insured his building and stock under Fire insurance. Fire broke out in his premise and immediately the matter was informed to fire force. The fire was extinguished by them by using water. Ramesh approached the insurance company for insurance claim and his claim was denied on the ground that majority of the stock were damaged not due to fire but due to the water poured for extinguishing the fire. Decide whether Ramesh is entitled to get the insurance claim.
2. A motor policy was taken on 15.02.2018 and the vehicle met with an accident on the same day. The insured approached the insurer but they repudiated the policy on the ground that the policy had been taken after the accident. Advice the insured.

Turn over

3. Mr Satheesh who was insured with Max Assurance company was driving his brother's car and met with an accident. The injured third party brought proceedings against him. As Satheesh failed to report the accident to his insurer Max Assurance Company repudiated the claim. So he sought to recover from his brother's policy issued by Xafon Insurance company. The policy issued by Xafon contained the ratable proportion clause to the effect that the insurer shall not be liable to pay more than its ratable proportion, if there was another existing insurance covering the same loss. Xafon insurance was liable to pay only 50%. But mistakenly they paid 70%. Mr Satheesh approached the court for the balance 30% and insurance company also approached the court for the wrongly paid 20%. Decide.

(2 × 10 = 20 marks)

Part C

Answer any two questions in not less than 1,000 words each.

Each question carries 12.5 marks.

1. Examine the constitution powers and functions of Motor Accident Claim Tribunal.
2. "Principle of Indemnity is the regulating principle of contract of insurance". Explain and state the exceptions.
3. Explain the rules and procedures to be followed in settlement of claims and payment of money in life insurance.

(2 × 12.5 = 25 marks)

**TENTH SEMESTER B.B.A., LL.B. (HONOURS) DEGREE EXAMINATION
NOVEMBER 2020**

B.B.A., LL.B.

LAW OF CARRIAGES

Time : Three Hours

Maximum : 75 Marks

Part A

Write short notes on any six questions.

Each question carries 5 marks.

1. Liability of airlines.
2. Indian Carriers Act.
3. Visby Rules.
4. Carriage by Rail.
5. CMR Convention 1982.
6. Private Carriers.
7. Bill of lading.
8. Carrier Definition.

(6 × 5 = 30 marks)

Part B

Answer any two questions.

Each question carries 10 marks.

9. 'X' owner of a garment factory, shipped his garments to Bombay from Kochi. On his voyage, ship wrecked and resulted in the loss of the garments. Whether ship company is liable.
10. 'A', a frequent flyer of Emirat from Ekm-to Dubai was denied business class facility due to certain minor reasons, 'A' challenged it. Whether there is any liability in Emirat Company.
11. 'Y' while travelling from Trivandrum to Guwahati suffered a stroke and railway authorities neglected to provide health assistance which finally resulted in his death. Whether railway authority is liable.

(2 × 10 = 20 marks)

Turn over

Part C

*Answer any two questions.
Each question carries 12½ marks.*

12. Discuss in detail the carriage by sea with the rules relating thereto.
13. Discuss the liability of air carriers in case of any accident occurs during the time of flight ?
14. Explain the International Convention for carriage of goods by road and its relevance under Indian Carriers Act.

(2 × 12½ = 25 marks)

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**TENTH SEMESTER B.B.A., LL.B. (HONOURS) DEGREE EXAMINATION
NOVEMBER 2020**

B.B.A., LL.B.

BANKING LAW

Time : Three Hours

Maximum : 75 Marks

Part A

Write short notes on six topics in not exceeding 500 words each.

Each question carries 5 marks.

1. Discuss about agency service of banks.
2. Examine the role of RBI as a note issuing authority.
3. Write on clearing house.
4. Briefly examine SLR.
5. Write on liquidation of banks.
6. Describe on investment banking.
7. Explain fixed deposit accounts.
8. Discuss about debtor creditor relationship between banker and customer.

(6 × 5 = 30 marks)

Part B

Answer any two questions.

Each question carries 10 marks.

1. Discuss whether the banker has general lien over jewels kept in the safe custody locker.
2. Syam is an employee of AB Firm Ltd. The Managing Director of a the Firm requests the banker to provide the account details of Syam for checking the financial stability of Syam. Advise the banker.
3. Jyothy had safe custody deposit at XY Bank and she had kept box of jewels in the locker. When she came to collect the jewels, it was found that the volts of safe custody lockers are unlocked and the ornaments are missing. Discuss the liability of the banker.

(2 × 10 = 20 marks)

Turn over

Part C

*Answer any **two** questions.*

Each question carries 12.5 marks.

1. Examine how RBI acts as financial advisor to the government.
2. Discuss about the different types of customers. Explain about Trust account.
3. Examine the statutory protection to the collecting banker.

(2 × 12.5 = 25 marks)

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