

S.Y. B.Com.

Business Laws- Syllabus

Objectives:

1. To provide a conceptual study about the framework of Indian Business Laws.
2. To orient students about the legal aspects of business
3. To familiarize students with case laws related to business

SEMESTER-III

Module I: Indian Contract Act, 1872

Chapter I

Definitions, Kinds of agreements, Kinds of contracts, distinction between agreement and contract

Chapter II

Proposal, kinds of proposal -specific, offer to a class of persons, general offer, counter offer, invitation to offer, standing offer, express proposal, implied offer, requirements of a valid offer

Acceptance, requirements of a valid acceptance,

Rules of communication of proposal, acceptance and revocation of proposal/acceptance

Chapter III

Capacity to contract, consent and free consent, coercion, undue influence, fraud, misrepresentation

Mistake

Chapter IV

Consideration, agreements without consideration, unlawful consideration, inadequacy of consideration

Agreements expressly declared to be void

Module II:

Contingent contract, quasi-contracts, e-contract, Privity of contracts with exceptions

Discharge of contracts, Remedies available on breach of contracts

Module III: Special Contracts

Chapter I

Law of Indemnity and guarantee

Chapter II

Law of bailment and pledge

Chapter III

Law of Agency

Module IV: The Sale of Goods Act, 1930

Chapter I

Introduction, definitions, formalities of contract of sale, distinguish between sale and agreement to sell

Hire purchase agreement, auction sale

Chapter II

Conditions and Warranties, Doctrine of Caveat Emptor

Chapter III

Transfer of property in goods- meaning and rules governing the same, transfer of risk

Chapter IV

Meaning of the term unpaid seller and rights of an unpaid seller

Module V: The Negotiable Instruments Act, 1881 (incorporating latest amendments)

Chapter I

Meaning and characteristics of Negotiable Instruments, Classification of

Negotiable Instruments

Chapter II

Promissory Note and Bill of Exchange, essential elements, Distinguish between Promissory note and bill of exchange, acceptance and acceptor

Acceptance for honour, absolute and qualified acceptance, Drawer, drawee in case of need, payee, dishonor

Chapter III

Cheques, crossings of cheques, distinguish between Bill of Exchange and cheque, penalties in case of dishonor of cheques

Chapter IV

Miscellaneous provisions (sections 8-10, 22, 99-102, 118-122, 134-137) Holder and Holder in due course, Rights and Privileges of a holder in due course, Payment in due course, maturity of an instrument, Noting and Protest, Bills in sets

SEMESTER-IV

Module I: The Indian Companies Act, 2013

Chapter I

Company and its formation, definition and nature of company, advantages and disadvantages of a company, lifting of corporate veil with cases, promoters, pre-incorporation and preliminary contracts

Chapter II

Types of companies (meaning and concept only) statutory companies, one person company, Company limited by shares/guarantee

Private company, public company, Producer Company, formation of companies with charitable

Objects, holding and subsidiary company, Government, foreign company, small company

Procedure for registration of a company, documents to be submitted for registration,

Effect of incorporation

Chapter III

Memorandum of Association & Articles of Association: meaning, concept, clauses, effect of

Registration of Memorandum and Articles of Association, Doctrine of Constructive Notice

Doctrine of Ultra Vires, Doctrine of Indoor Management

Chapter IV

Prospectus- meaning, when to be issued, when not required, kinds of prospectus, contents of prospectus, private placement

Module II: Membership of a company

Chapter I

Who can become a member? Modes of acquiring membership, cessation of membership, rights, liabilities and duties of members

Chapter II

Classification of Directors, woman director, independent director, small shareholders' director

Disqualification of director, Director Identification Number, legal position, powers and duties,

Position of director as key managerial personnel, Manager, Managing Director

Chapter III

Meetings, types of meetings of members and Board of directors, convening and conduct of meetings, Postal ballot, meetings through video conferencing, e-voting

Module III: Indian Partnership Act, 1932

Chapter I

Definition, essentials, types of partnership and types of partners, test of partnership Test of Partnership, partnership deed and property of firm

Chapter II

Reconstitution of partnership firm, dissolution of firms

Chapter III

Limited Liability Partnership Act, 2008

Definitions, body corporate, business, partner

Concept, salient features, nature of LLP, distinction between LLP and firm, LLP and company,

Extent and limitation of liability of LLP and its partners, Conversion of LLP, Winding up and

Dissolution of LLP

Module IV: Consumer Protection Act, 1986

Chapter I

Introduction, definitions consumer, complaint, complainant, defect, deficiency, consumer

Dispute, trader, manufacturer, restrictive trade practice, unfair trade practice, Consumer Councils

Chapter II

Redressal agencies under the Act and their Jurisdiction- Pecuniary, Territorial,

Appellate and revisional

Chapter III

Powers of Redressal agencies, procedure on receipt of a complaint, remedial orders and penalties for Frivolous and vexatious complaints

Module V:

Chapter I

Competition Act, 2002

Objectives of the Act, salient features, anti-competitive agreements, prevention of abuse of dominant position, combination, competition advocacy, Competition Commission of India

Chapter II

Intellectual Property Rights

- (a) IPR introduction and types
- (b) Patents Meaning, salient features conditions for an invention to be patented, what is patentable
What is not, duration of a patent
- (c) Copyrights- meaning, salient features, what rights are protected, duration of the right
- (d) Trade Mark meaning, concept, functions of trademark, types , remedies on infringement

Chapter III

Payment of Gratuity Act, 1972: Definitions, who is eligible to receive gratuity, calculation of gratuity amount, limit of gratuity, Forfeiture of gratuity, nomination rules

Mid-Semester (Internal) Examination- 25 Marks

It may include Project, Assignment, Viva voce based on current Laws such as RTI, RTE, IT, etc.

Semester-End Examination- 75 Marks

Question paper pattern

Five Questions of 15 marks each- one from each module.

Format of each question

- (a) 6 marks
- (b) 6 marks
- (c) 3 marks (case study)

OR

Write short notes on any 3 out of 5.