

B.COM
SEMESTER III
Business Laws (SEC 1)
(100 Marks, 60 Lectures)

Objective: To impart basic knowledge of the important business legislations.

Unit 1: The Indian Contract Act, 1872

(30 Marks, 24 Lectures)

a) General principles of contract

- i) Contract – meaning, characteristics and kinds
- ii) Essentials of a valid contract - Offer and acceptance, consideration, contractual capacity, free consent, legality of objects.
- iii) Void agreements
- iv) Discharge of a contract – modes of discharge, breach and remedies against breach of contract.
- v) Contingent contracts
- vi) Quasi - contracts

b) Specific Contracts

- i) Contract of Indemnity and Guarantee – meaning, rights and duties of surety,
- ii) Contract of Bailment – meaning, rights and duties of Bailor & Bailee
- iii) Contract of Agency – meaning, modes of creation of agency, rights & duties of Agent & Principal

Unit II: The Sale of Goods Act, 1930

(20 Marks, 12 Lectures)

- i) Contract of sale, meaning and difference between sale and agreement to sell.
- ii) Conditions and warranties
- iii) Transfer of ownership in goods including sale by a non-owner
- iv) Performance of contract of sale
- v) Unpaid seller – meaning, rights of an unpaid seller against the goods and the buyer.

Unit III: Arbitration and Conciliation Act, 1996

(25 Marks, 12 Lectures)

- i) Introduction
- ii) Arbitration
- iii) Arbitration Agreement
- iv) Arbitral Tribunal and arbitral procedure
- v) Jurisdiction of Arbitral Tribunal
- vi) Conduct of Arbitral proceedings
- vii) Making of Arbitral Award
- viii) Termination of Arbitral Proceedings
- ix) Conciliation – meaning,
- x) Procedure for commencement of proceedings,
- xi) Appointment of conciliator,
- xii) Conciliation procedure

- xii) Role of conciliator,
- xiii) Termination of conciliation proceedings
- xiv) Status of settlement by conciliator

Unit 4: The Negotiable Instruments Act 1881

(25 Marks, 12 Lectures)

- i) Meaning, Characteristics, and Types of Negotiable Instruments: Promissory Note, Bill of Exchange, Cheque
- ii) Holder and Holder in Due Course, Privileges of Holder in Due Course.
- iii) Negotiation: Types of Endorsements
- iv) Crossing of Cheque
- v) Bouncing of Cheque

Suggested Readings:

1. M.C. Kuchhal, and Vivek Kuchhal, Business Law, Vikas Publishing House, New Delhi.
2. Avtar Singh, Business Law, Eastern Book Company, Lucknow.
3. Ravinder Kumar, Legal Aspects of Business, Cengage Learning
4. SN Maheshwari and SK Maheshwari, Business Law, National Publishing House, New Delhi.
5. Aggarwal S K, Business Law, Galgotia Publishers Company, New Delhi.
6. Bhushan Kumar Goyal and Jain Kinneri, Business Laws, International Book House
7. Sushma Arora, Business Laws, Taxmann Publications.
8. Akhileshwar Pathak, Legal Aspects of Business, McGraw Hill Education, 6th ed.
9. P C Tulsian and Bharat Tulsian, Business Law, McGraw Hill Education
10. Sharma, J.P. and Sunaina Kanojia, Business Laws, Ane Books Pvt. Ltd., New Delhi.
11. Business Law *for Management* - by K.R.Bulchandani
12. Business Law - by Prof. Manohar R. Wadhvani
13. Business Law – by S.S. Gulshan, G.K. Kapoor
14. A textbook of Business Law – by P.P.S. Gogna
15. Arbitration and Alternative Dispute Resolution - by Dr. N.V.Paranjape
16. Law of Arbitration and Conciliation - by Dr. Avtar Singh

Note: Latest edition of text books may be used.

B.COM
SEMESTER -IV
Companies Act and IPR Laws (SEC 2)
(100 Marks, 60 Lectures)

Objective: To impart basic knowledge of the provisions of the Companies Act 2013, The Patents Act, 1970, Indian Copyright Act, 1957, The Trademarks Act, 1999 and The Designs Act, 2000.

UNIT 1: Introduction to Regulatory Framework of Companies (40 Marks, 24 lectures)

Characteristics of a company; lifting of corporate veil; types of companies including one person company, small company, and dormant company; association not for profit; illegal association; formation of company, on-line filing of documents, promoters, their legal position, pre-incorporation contract; on-line registration of a company.

Memorandum of association, Articles of association, Doctrine of constructive notice and indoor management, prospector-shelf and red herring prospectus, misstatement in prospectus, GDR; book-building; issue, allotment and forfeiture of share, transmission of shares, buyback and provisions regarding buyback; issue of bonus shares.

Administration of Company Law [including National Company Law Tribunal (NCLT), National Company Law Appellate Tribunal (NCLAT), Special Courts]

UNIT 2: Management of Companies (20 Marks, 12 Lectures)

Classification of directors, women directors, independent director, small shareholders' director; disqualifications, director identity number (DIN); appointment; Legal positions, powers and duties; removal of directors.

Key managerial personnel; Meetings: Meetings of shareholders and board of directors; Types of meetings, Convening and conduct of meetings, Requisites of a valid meeting, postal ballot, meeting through video conferencing, e-voting.

Committees of Board of Directors - Audit Committee, Nomination and Remuneration Committee, Stakeholders Relationship Committee, Corporate Social Responsibility Committee

UNIT 3: Books of Accounts, Winding-up and Insider Trading (20 Marks, 12 lectures)

Provisions relating to Books of Accounts, Auditors' Appointment, Auditor's Report.

Winding Up: Concept and modes of Winding Up.

Insider Trading and Whistle Blowing: Meaning & legal provisions of insider trading; Whistleblowing: Concept and Mechanism.

Unit 4 : Intellectual Property Rights (20 Marks, 12 Lectures)

Meaning of Intellectual Property, Meaning and Registration of Patent , Patentable Invention, Compulsory Licensing, Remedies in case of Violation of Patent.

Meaning of Design, Registration Procedure of Design, Piracy of Registered Design , Remedies for Violation of Design.

Copyright - Meaning, Registration of Copyright, Infringement of Copyright, Broadcasting Right, Performer's Right.

Trademark - Meaning, Procedure for Registration of Trademark, , Deceptively Similar Mark, , Remedies in Case of Violation of Trademarks and Copyright

References:

1. MCKuchhal, Modern Indian Company Law, ShriMahavir Book Depot (Publishers), Delhi.
2. GK Kapoor and Sanjay Dhamija, Company Law, Bharat Law House, Delhi.
3. Anil Kumar, Corporate Laws, Indian Book House, Delhi
4. ReenaChadha and SumantChadha, Corporate Laws, Scholar Tech Press, Delhi.
5. Avtar Singh, Introduction to Company Law, Eastern Book Company
6. Ramaiya, A Guide to Companies Act, LexisNexis, Wadhwa and Buttersworth.
7. Manual of Companies Act, Corporate Laws and SEBI Guideline, Bharat Law House, NewDelhi,.
8. A Compendium of Companies Act 2013, along with Rules, by TaxmannPublications.
9. Gower and Davies, Principles of Modern Company Law, Sweet & Maxwell
10. Sharma, J.P., An Easy Approach to Corporate Laws, Ane Books Pvt. Ltd., New Delhi
11. Dr. BL Wadhera , Intellectual Property Law, Delhi, Universal Publishing Co. Pvt. Ltd
12. P. Narayanan , Intellectual Property Law, Kolkata, New Delhi, Eastern Law House
13. KashiNath Jena, Intellectual Property Rights, Globalisation and Global Relations , Abhijeet Publications, Delh
14. A V NarsimhaRao , Law of Patents Concepts and Cases , ICFAI University Press
Government of India Websites for Registration of Companies, Patents, Copyright, Trademarks and Designs

1. www.mca.gov.in
2. <http://www.ipindia.nic.in/>
3. <http://copyright.gov.in/>