**LL.B (IV SEMESTER)**

**CODE-403: PAPER-III: INSURANCE LAW**

Max. Marks: 100

Time: 3 Hours

**Note:** (i) The Entire Syllabus of the theory has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question form each **unit.**

Unit-V will consist of one compulsory question divided in to 8 parts, carrying two parts from each unit of the syllabus. The student will be required to attempt any four parts.

(ii) All questions shall carry equal marks.

**Unit-I**

1. Insurance: Definition, Nature, Scope and functions.
2. History of Insurance: Life, Fire, Marine.
3. Principles of Insurance: General Principles, Specific Principles and Basic Principles of Insurance.
4. Contract of Insurance: Its elements, concept of Indemnity and non indemnity.
5. Insurable Interest
6. Premium in Insurance Contract: Issue of Adequacy of Premium.
7. Modes of Payment of Premium

Forfeiture of Policy: An overview

Non-Forfeiture clauses in an Insurance contract.

1. Assignment of Insurance Policy : History, relevancy of assignment, conditional assignments.
2. Conditions of the policy : Express and implied conditions.

Conditions of the Life policy

Conditions of the Fire policy

Conditions of the Marine policy

1. Classification of insurance Policies; form and content

# Prescribed Case:

Reserve Bank of India v. Peerless General Finance and Investment Co. AIR 1987 SC 1023

**Unit – II**

Insurance Regulatory and Development Authority Act 1999 (41 of 1999) Structure, Duties, Powers and functions of Authority.

Life Insurance Corporation Act 1956 and the life Insurance (Emergency Provisions) Act 1956 History, establishment, composition, LIC: Object, functions and Scope.

Life Insurance: Definition, Kinds of Life Insurance, nature, scope, formation of Life Insurance contract, circumstances effecting the risk.

Amount recoverable under the life policy.

Persons entitled to payment, settlement of claims

Payment of money

## Prescribed Case

LIC v. Nirmala Adi Reddy, AIR 1984 SC 346

**Unit - III**

Marine Insurance Act 1963: Marine Insurance Nature and scope, Kinds of Marine Policies.

Concept of Insurable Interest and Insurable value in reference to marine Insurance;

Assignment of Marine Policy.

Premium in Marine Insurance An Overview

Circumstances when half premium is refunded

Circumstances when full premium is refunded

Rights of Insurance an payment and return of premium

Perils of Sea

Measures of Indemnity.

## Prescribed Case

Home insurance Co. v. Ramnath & Co., AIR 1955 Mad. 602

**Unit – IV**

Public Liability Insurance Act,1991

Nature, Scope and object, liability to give relief in certain cases on principles of no fault (Section 3), Duty of owner to take out insurance policies (Section 4), verification and Publication of Accident by collector (Section 5) Application for Claim for relief (Section 6), Award of Relief (Section 7)

Establishment of Environmental Relief Fund (Sections 7A); Provisions as to other right to claim compensation of death (Section 8); Powers of Collection (Section 9 to 13), Penalty for contravention (Section 15); offences by companies and Government Departments (Section 16,17)

## Prescribed Case

Charan Lal Sahu v. Union of India, AIR 1990 SC 1480; (1990) 1 SCC 613

## Statutory Material

1. The Life Insurance Corporation Act,1956
2. The Life Insurance (Emergency Provisions ) Act,1956
3. Marine insurance Act,1963
4. Public Liability Insurance Act,1991

**Books Recommended:**

1. Srinivasan, M.N. : Law and the Life Insurance Contract

2. Srivastava, Kirpa Dayal : Commentaries on Employees State Insurance Act,1948

3. Murthy, K.S.N. : Modern Law of Insurance in India

4. Banerjee , B.N. : The Law of Insurance

5. Mishra, M.N. : Law of insurance

6. Ivamy, E.R. Hardy : Marine insurance

7. Bhattacharjee : The Life Insurance Corporation Act

8. Naresh Mahipal : An introduction to Insurance Laws (ed. 2017),

Central Law Publications.