

**Guidelines for
B.Com (H)
Paper CH 1.4: Semester I
Business Laws
(For Academic Year 2012-13)**

1) The Indian Contract Act, 1872

Weightage of Marks: 20- 25

Lectures: 25

- a) Contract- meaning, characteristics and kind.
- b) Essentials of valid contract;
- Offer and acceptance – Sec. 2, 2a, 3, 5-10
 - Consideration – Sec. 2d, 25, Doctrine of Privity of contract.
 - Contractual capacity – Sec. 11, 12
 - Free consent – Sec. 15, 16, 17, 18, 20, 21, 22
 - Legality of object – Sec. 23 and Doctrine of public policy.
- c) Void agreements- Sec. 11, 20, 23- 30, 56, difference between void and illegal agreement.
- d) Discharge of contract- modes of discharging including breach and its remedies.
- In performance of contract; only essentials of valid performance covering actual, attempted, tender performance and Doctrine of subsequent impossibility.
- e) Contingent contracts – Sec. 31
- f) Quasi- contracts – Sec. 68-72
- g) Contract of indemnity and guarantee – whole.
- h) Contract of bailment –
- only contract of bailment and difference between bailment and pledge.
 - **As contract of pledge has not been mentioned in the syllabus, it is not to be covered.**
- i) Contract of agency – Definitions, distinction between agent and servant, principal- agent relationship, kinds of agents, creation of agency, extent of agent's authority, liability of agents towards third party (**Rights and duties of agent not to be covered**).

2) The Sale of Goods Act, 1930

Weightage of Marks: 10- 15

Lectures: 10

- a) Contract of Sale- Meaning and difference between sale and agreement to sell
(difference between sale and hire purchase not to be covered).
- b) conditions and warranties.
- c) transfer of ownership in goods including sale by non- owners: essentials of valid transfer, right of disposal, transfer of title by non- owner.
- d) Performance of contract of sale (including effective delivery, rights and liability of buyer for examining the goods.
- e) unpaid seller- meaning and rights of an unpaid seller against the goods and the buyer; **(Auction Sale not to be covered).**

3) The Limited Liability Partnership Act, 2008

Weightage of Marks: 20- 25

Lectures: 25

- a) Salient features of LLP – definition and salient features.
- b) Difference between LLP and partnership, LLP and Company.
- c) LLP agreement.
- d) Nature of LLP – Sec. 3-10
- e) Partners and Designated partners – Sec. 5 and 7
- f) Incorporation document – Sec. 11
- g) Incorporation by registration – Sec. 12, 14
- h) Registered office of LLP and change therein – Sec.13
- i) Change of name – Sec. 15- 19
- j) Partners and their relations – Sec. 22- 25
- k) Extent and limitation of liability of LLP and partners – Sec. 26- 30
- l) Whistle blowing – Sec. 31
- m) Contributions – Sec. 32, 33
- n) Financial disclosures – Sec. 34, 36, 38
- o) Annual Return – Sec. 35, 37
- p) Taxation of LLP – Eligibility, Tax rate, Assessment of LLP (only steps to be discussed and no practical problems).
- q) Conversion to LLP – Sec. 55- 58
- r) Winding up and dissolution – Sec. 63, 64, 65, dissolution through two modes i.e. voluntary and by tribunal.

4) The Information Technology Act, 2000

Weightage of Marks: 10- 15

Lectures: 15

- a) Definitions – Sec. 2
- b) Digital signature – Sec. 2p (creation and verification of digital signature)
- c) Electronic governance – Sec. 4- 10
- d) Attribution, acknowledgement & dispatch of electronic records – Sec. 11, 12, 13
- e) Regulation of certifying authorities – Sec. 17, 18, 21- 25, 27, 28, 30- 34, 68, 69
- f) Digital signatures certificates – certifying authority, issue and revocation/
suspension of digital signatures
- g) Duties of subscribers – Sec. 40, 41, 42
- h) Penalties and adjudication – Sec. 43, 46
- i) Appellate tribunal – Sec. 48- 53, 56- 58
- j) Offences – Sec. 65, 66, 77

List of Cases

The following is the list of cases to be discussed in the class and to be used for framing problems & queries in examination.

1	<i>De Francesc V Barnum (1890) 45 Ch D 430 (Ch)</i>
2	<i>Upton Rural District Council V Powell (1942) All ER 220</i>
3	<i>Lalman Shukla v. Gauri Datt (1913) All LJ 489</i>
4	<i>McPherson V Appana AIR 1951 SC 184. see also Badri Prasad v. State of M.P., AIR 1970 SC 706</i>
5	<i>Balfour V Balfour (1919) 2 KB 571</i>
6	<i>Harbhajan Lal v. Harcharan Lal AIR 1925 All 539</i>
7	<i>Upton Rural District Council v Powell (1942) 1 All ER 220</i>
8	<i>Harvey v Facie (1893) AC 522; See also AIR 1951 SC 184</i>
9	<i>Bhagwan Das v G. Lal, AIR 1966 SC 543</i>
10	<i>Brogden v Metropolitan Railway (1877) 2 AC 666</i>
11	<i>Felthouse v Bindley (1863) 7 LT 835</i>
12	<i>Nihal Chand v Amarnath, AIR 1926 Lah. 645</i>
13	<i>Ramanbhai v Ghasiram ILR (1918) 42 Bombay 595</i>
14	<i>Henthorn v Fraser (1892) 2 Ch. 27</i>
15	<i>Hyde v Wrench (1840) 3 Beav. 334</i>

16	<i>Fazaladdin v Panchanan Das, AIR 1957 CAL.92</i>
17	<i>Thomas vThomas (1842) 2 Q.B. 859</i>
18	<i>Durga Parsad v Baldeo (1880) 3 All 221</i>
19	<i>Eringtan v Erington (1952) I KB 29</i>
20	<i>Bolton v Madden 1873 LR 9 Q.B 55</i>
21	<i>Raj Lukhy Dabee v Bhootnath Mukherjee (1900) 4 Cal. W N 488</i>
22	<i>Kedarnath v Gauri Mohammed 1866, 14 Cal, 54</i>
23	<i>Dunlop Pneumatic Tyre Co.v Selfridge & Co. (1915) A.C. 847</i>
24	<i>Khwaja Mohd. Khan v Hussaini Begum (1910) 32 All 410</i>
25	<i>Rose Fernandez vJoseph Gonsalves ILR (1924) 48 Bom. 673; AIR 1925 Bom. 97</i>
26	<i>Kshird Behari Dutt v Mon Gobinda Panda (1933) 61 Calcutta 841</i>
27	<i>Mohoribibi's vDharamodas Ghosh (1903) 30 Calcutta 539</i>
28	<i>Raghava Chariar v Srinivasa (1916) 40 Madras 308</i>
29	<i>Rose Fernandez v Joseph Gonsalves (1924) 48 Bombay 673</i>
30	<i>Leslie v Sheill (1914) 3 KB 607</i>
31	<i>Nash v Inman (1908) K.B.</i>
32	<i>Indran Ramaswami v Anthiappa Chettiar (1906) MLJ 422</i>
33	<i>Inder Singh v Parmeshwardhari Singh AIR 1957 Pat 491</i>
34	<i>Chikham Amiraj v Chikham Seshamma (1912) 16 IC 344</i>
35	<i>Muthia v Muthu Karuppa (1927) 50 Madras 786</i>
36	<i>Mannu Singh v Umadat Pandey (1890) 32 Allahabad 523</i>
37	<i>Derry v Peek, (1889), 14 A.C.337</i>
38	<i>Ningawa v B.S. Hire Kurabar (1968) SCR 797</i>
39	<i>Horsefall v Thomas (1862) I H&C 90</i>
40	<i>Banarsi Debi v New India Assurance Co., AIR 1959 SC 40</i>

41	<i>Peek v Gurney (1873) LR 6 HL 377</i>
42	<i>Smith v Land & Housing Corpn. (1884) Ch. D. 7</i>
43	<i>Galloway v Galloway (1914) 30 TLR 531</i>
44	<i>Earnest Beck & Co. v K.S. Owski & Co. (1924) AC 43</i>
45	<i>Raja Singh v Chaichoo Singh. AIR 1940 Patna 201</i>
46	<i>Cundy v Lindsay (1878) 3 AC 459</i>
47	<i>Said v Butt (1920) 3 K.B. 497</i>
48	<i>K.M. Kamath v K.R. Baliga & Co. AIR 1959 SC 781</i>
49	<i>Bhikanbhai v Hiralal (1900) 24 Bombay 622</i>
50	<i>Baivijli v Hamda Nagar (1885) 10 Bombay 152</i>
51	<i>N. V.P. Pandian v M.M. Roy, AIR 1979 Madras 42</i>
52	<i>Ouseph Poule v Catholic Union Bank (1964) 7 SCR 745</i>
53	<i>Ramasrup v Bansi Mandar (1915) 42 Calcutta 742</i>
54	<i>Lowe v Peers (1918) 98 ER. 160</i>
55	<i>Madhub Chander v Raj Coomar (1874) XIV Bengal Law Reports 76</i>
56	<i>Subha Naidu v Haj Badsha ILR (1902) 26 Madras 168</i>
57	<i>Hakam Singh v Gammon (India) Ltd. AIR 1971 SC 740</i>
58	<i>Carlill v Carbolic Smoke Bill Co. (1892) 2 QB 484</i>
59	<i>Pahunch Lal v Man Singh AIR, 1971 Allahabad 444</i>
60	<i>Brook's Wharf v Goodman Bros. (1937) 1 K.B. 534</i>
61	<i>Tulsa Kunwar v Jageshwar (1906) 28 Allahabad 563</i>
62	<i>Hollins v Fowler L.R. 7 H.L. 757</i>
63	<i>Howell v Coupland (1876) QBD 258 (CA)</i>
64	<i>Hari Chand Madan Gopal v State of Punjab, AIR 1973 SC 381</i>
65	<i>Hochester v De La Tour (1853) 2 E B 678</i>

66	<i>R.B. Shah v N. Gopal (1906) 3 CWN, 477</i>
67	<i>Sumpter v Hedges(1898) Q.B 673</i>
68	<i>Lumely v Wagner (1852) S. De G.M & G 604</i>
69	<i>Adamson v Jarvis 1827, 4 Bing. 66</i>
70	<i>Gajanan Moreshwar v Moreshwar Madan, AIR, 1942, Bom, 302.</i>
71	<i>Swan v Bank of Scotland 1836, 10 Bligh NS 627</i>
72	<i>Kaliaperumal v Visolakshmi, AIR, 1938 Mad 32</i>
73	<i>Houghland v R.R. Luxury Coaches 1962, 1 QB 694 CA</i>
74	<i>Jugilal Kamlatpat Oil Mill v Union of India, AIR 1976, SC 227</i>
75	<i>Chand Mal v Ganda Singh 1885, Punj Rec. No. 60, P. 126</i>
76	<i>Revenue Authority v Sudarsanam Pictures, AIR 1968, Mad 319</i>
77	<i>Phillips v Brooks Ltd. 1919, 2 KB 243</i>
78	<i>Couturier v Hastie 1856, 5 HLC 673</i>
79	<i>Grover & Grover Ltd. V Mathews 1920, 2 KB 401</i>
80	<i>Bolton Partners v Lambert 1889, 41 Ch. D 295</i>
81	<i>Ryan v Pilkington 1959, 1 WLR 403</i>
82	<i>Watteau v Fenwick 1893, 1 QB 346</i>
83	<i>Smart v Sandars (1848) 5 CB 895</i>
84	<i>Wood v Manley 1839,11 A & E 34, 52 RR 271</i>
85	<i>Johnson v Mecdonald 1842, 9 M & W 600, 60 RR 838</i>
86	<i>Baldry v Marshall 1925, I. KB 260</i>
87	<i>Niblett v Confectioners Material Co. 1921, 3 KB 387</i>
88	<i>Acros v Ranason & Sons 1933, AC 470</i>
89	<i>Griffiths v Peter Conway Ltd. 1939, 1 All ER 685</i>
90	<i>Morelli v Fitch & Gibbons 1928, 2 K.B. 636</i>

91	<i>Mason v Birmingham 1949, 2 K.B. 545</i>
92	<i>Rugg v Minett 1809, 11 East 210</i>
93	<i>Langton v Higginis 1858, 4 H N.402</i>
94	<i>Elphic v Barners 1880, 5 CPD 321</i>
95	<i>Leo v Bayes 1856, 8 CB 599</i>
96	<i>Folkes v King 1923, 1 K.B. 282 CA</i>
97	<i>Fee v Butler 1897, Q.B. 318</i>
98	<i>Philips v Blair & Martin 1801, 4 Paton, Scotch AC 256</i>
99	<i>Hardy & Co. v Hillerns & Fowlers 1923, 2 K.B. 409, C.A.]</i>
100	<i>Richardson v. Dunn 1841, 2 Q.B. 218</i>
101	<i>Valpy v Gibson 1847, 4 CB 837</i>

NOTE:

The number of questions from each Act in examination is as follows:

The Indian Contract Act, 1872----- 1.5

The Sale of Goods Act, 1930----- 1.0

The Limited Liability Partnership Act, 2008-----1.5

The Information Technology Act, 2000-----1.0

Special Remarks:

The paper setters and examiners are requested to strictly follow these guidelines while setting up the question paper. The examiner is requested to ensure that the paper is not only within ambit of guidelines but also takes into account the time taken by the examinees to read the question paper.