



Shri Vile Parle Kelavani Mandal'S

**NARSEE MONJEE COLLEGE OF COMMERCE & ECONOMICS**

NAAC Reaccredited "A" Grade, CGPA - 3.42



<b>Program: Bachelor of Commerce (Economics)</b>				<b>Semester: II</b>	
<b>Course: Corporate Law</b> <b>Academic Year: 2024-25</b>				<b>Code:</b>	
<b>Teaching Scheme</b>				<b>Evaluation Scheme</b>	
<b>Lecture</b>	<b>Practical</b>	<b>Tutorial</b>	<b>Credit</b>	<b>Internal Continuous Assessment (ICA) (weightage)</b>	<b>Term End Examinations (TEE) (weightage)</b>
30	-	-	02	<b>20 marks</b>	<b>30 marks</b>
<b>Learning Objectives:</b>					
<ol style="list-style-type: none"> <li>To learn the fundamental principles of laws governing Business Organization and Consumer Rights.</li> <li>To understand the applicability of legal provisions through case laws.</li> <li>To learn the drafting skills.</li> <li>To explain the importance of current amendments and to provide current knowledge and developments in the legal arena.</li> </ol>					
<b>Learning Outcomes:</b>					
<p>At the end of the course module, the students should be able to:</p> <ol style="list-style-type: none"> <li>Appreciate the significance and the legal provisions regulating business and the application.</li> <li>Will understand and appreciate the practical relevance of various concepts of basic business laws to know legal knowhow for smooth functioning of business, to understand the legal aspects of various business dynamics.</li> <li>Understand and illustrate the basic concepts laws legislated for the business.</li> <li>Apply the knowledge of corporate laws in practice.</li> <li>Can file suit or defend upon matters related to commercial transactions.</li> <li>Apply principles of intellectual property rights in day to day transactions and to safeguard the interest in the business.</li> <li>Enhance his skills of legal communication.</li> </ol>					
<b>Pedagogy</b>					
<p>The objective of the course is to encourage students to learn and to appreciate the use of various legal provisions enacted for the purpose of smooth running of the business and its winding up. Hence,</p>					



- 1) Short case studies and HC and SC cases would be either discussed in class or would be given to students as assignments for submission.
- 2) Pertaining to the topic covered, students would be given project/field work for better understanding of the topic. These will be of practical nature.
- 3) Use of powerpoint presentation, moot courts and classroom debate will be emphasized more.

**Important Note:**

**Meaning of Basic concepts of laws, their need and applicability of laws to a person in daily life transactions should be taught.**

How Stakeholders of the business would be benefited by using the legal provisions would be taught. Moot courts should be planned for better understanding of the cases.

**Detailed Syllabus: ( per session plan )**

**Each lecture session would be of one hour duration (30sessions)**

<b>Module</b>	<b>Module Content</b>	<b>Module Wise Pedagogy Used</b>	<b>Module Wise Duration</b>	<b>Module Wise Reference Books</b>
1	<p>Company Law 2013</p> <p>1.1 Meaning and nature of Company- definition, related Case laws. Role of Promoters, effects of pre incorporation contracts, Advantages disadvantages of company business, Kinds of Companies, Private Company and Public company, OPC, Non-profit Company, Holding and Subsidiary Company. Foreign Company and Producer Company.</p> <p>1.2 MOA, AOA concepts, Contents, Doctrine of Constructive Notice, Doctrine of Ultra Vires, Doctrine of Indoor Management related case laws. Drafting of MOA and AOA.</p> <p>1.3 Prospectus- contents, Golden rule, Misstatement in Prospectus, Types- Shelf</p>	Class room sessions	08	<ol style="list-style-type: none"> <li>1) <b>SS Gulshan</b></li> <li>2) <b>Avtar Singh</b></li> <li>3) <b>G.K. Kapoor</b></li> <li>4) <b>K.R Bulchandani</b></li> </ol>



	Prospectus, Red Herring Prospectus, Deemed Prospectus.			
2	<p>Indian Partnership Act 1932 &amp; LLP Act 2008</p> <p>2.1 Partnership- concept Essentials, True Test of Partnership, Partnership Deed, types of Partnerships, rights and duties of partners, distinguish between Partnership and HUF Drafting of Partnership Agreement. Minors position in partnership Dissolutions – concept, Modes, Consequences of Dissolution</p> <p>2.2 LLP – (2021 Amendment) Part I Concept, Characteristics, Advantages, Disadvantages, Procedure for Incorporation.</p> <p>2.3 Extent of LLP- Conversion of LLP, Mutual rights and duties of Partners, Winding up of LLP, Distinction between LLP and Partnership. Drafting of LLP agreement.</p>	Class room sessions	07	<ol style="list-style-type: none"><li>1) <b>SS Gulshan</b></li><li>2) <b>Avtar Singh</b></li><li>3) <b>ArshdeepSingh Veer,Mansi Barar</b></li><li>4) <b>KR Bulchandani</b></li></ol>



3	<p>3.1 Competition Law 2002 Objects, Concepts - Competition, Anti-Competitive agreements, what agreements cause adverse effect on Competition? What agreements do not cause an adverse effect on competition? Abuse of Dominant position,</p> <p>3.2 Competition Commission- powers duties and functions of the commission, inquiries, orders, appeals, penalties</p> <p>3.3 Combinations. Authorities under competition law, 2002</p>	Class room sessions	07	KR. Bulchandani
4	<p>5.1 Intellectual Property Rights- Introduction, objects, background of IPR in India.</p> <p>Laws relating to Patents rights in India- invention and discovery, meaning of manufacture, specification, Procedure for grant of patents, Publication of application, Opposition, rights of Patentees, Term of patent, Provisions for secrecy of certain inventions, Infringements and remedies Jurisdiction, Appeals.</p> <p>5.2 Laws relating to Copyrights in India: Introduction, Owner of Copyrights, work in which copyrights exist. Relinquishment of copyrights, License by owners, duration of copyrights, infringements and remedies</p> <p>5.3 Trade Marks: meaning of trade mark, Registration, kinds, duration, renewal, removal and restoration of trade mark, registration, certification and collective marks, infringement and remedies.</p> <p>Above IP rights with case laws.</p>	Class room sessions with Applications in MS Excel.	08	<b>K.r. Bulchandani</b> <b>B.L. Wadhera</b>



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**Note: Lawyers and industries are looking for the students who know basic drafting of notices and know the business compliances, hence the basics of business laws should be taught in these sessions.**

**Reference Books:**

Title	Author(s)	Publisher
Company Law 2013 and practice	GK Kapoor, Sanjay Dhamija	9789387957626- <a href="#">Taxmann</a>
Constitution of India	PM Bakshi	Lexis Nexis Gurgaon- ISBN 978-81-312-6237-5
Business Law	MC Kuchhal & Vivek Kuchhal	Vikas Publishing House Ltd. ISBN- 978-93259-6396-2
Indian Competition Law	Versha Vahini	ISBN 978-935-143-7284 Mumbai paperback
IPR	BL Wadhera	9789350350300 - <a href="#">Universal Law Publishing Co Pvt Ltd.</a>

**Note:** Latest edition of textbook may be used.

Evaluation Scheme		
<b>Internal Continuous Assessment (ICA)</b>  (weightage)	<b>Term End Examinations (TEE)</b>  (weightage)	
<b>20</b>	<b>30</b>	<b>50</b>

**A. Details of ICA-**



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Continuous Assessment	Details	Marks
Component 1 (ICA-1)	Internal Class test	10
Component 2 (ICA-2)	Projects / Moot Court/Assignments/Presentations/Seminar	10

**B. Details of Semester End Examination**

Duration of examination- **One** hour

**Question paper pattern:**

Question No.	Description	Marks	Total marks
1	Answer the following Questions: (Module 1)  a) Theory Question-Long Answer  OR  b) Case Law/Case lets /short notes	8	8
2	Answer the following Questions: (Module 2)  a) Theory Question-Long Answer  OR  Case Law/Case lets /short notes	7	7
3	Answer the following Questions: (Module 3)  a) Theory Question-Long Answer  OR  Case Law/Case lets /short notes	7	7



4	Answer the following Questions: (Module 4)  a) Theory Question-Long Answer  OR  Case Law/Case lets /short notes	8	8
		<b>Total Marks</b>	<b>30</b>

Prepared by

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Signature

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Signature

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Principal