

Agenda No. 2.03 in AC and  
Date: 23/03/2022

**Vidya Prasarak Mandal's**  
**K.G. Joshi College of Arts & N.G. Bedekar College of Commerce**  
**(Autonomous)**  
**(Affiliated to University of Mumbai)**

**Programme: B.COM.**  
**Specific Programme: Commerce**  
**Syllabus for SYBCOM**

**Year of Establishment: 1969**  
**Year of Upgrading: 2022-2023**

## **Specific Programme: Commerce JBCUCCOM**

### **Preamble**

In the Second Year of Bachelors in commerce business related laws are introduced with the subject nomenclature as Business Law. It is to introduce learners with basic understanding of laws related to business to furnish a holistic approach about the field of commerce. This study of business laws along with case laws will help learners to know the intricacies of business.

## **DISTRIBUTION OF TOPICS AND CREDITS**

| <b>Course</b> | <b>Course Name</b>  | <b>Semester</b> | <b>Course Nomenclature</b> | <b>Course Code</b> | <b>Credits</b> |
|---------------|---------------------|-----------------|----------------------------|--------------------|----------------|
| <b>1</b>      | <b>Business Law</b> | <b>III</b>      | <b>Business Law - I</b>    | <b>JBCUCLAW304</b> | <b>3</b>       |
|               |                     | <b>IV</b>       | <b>Business Law - II</b>   | <b>JBCUCLAW404</b> | <b>3</b>       |

**Credit Based Semester and Grading System**  
**with effect from the academic year 2022-2023**

**Programme Outcomes**

| <b>PO</b> | <b>PSO Description</b>  |
|-----------|---|
| PO1       | To impart knowledge about commercial and managerial aspects of business along with social and ethical issues                  |
| PO2       | To give a working knowledge in respect of cost accounting, management accounting, financial accounting, auditing and taxation |
| PO3       | To make the learners aware about various aspects of micro and macro economics   |
| PO4       | To acquaint the learners about business law, computer systems, its applications and network infrastructure                    |
| PO5       | To provide the basic knowledge about Indian Financial System and recent development in finance                                |

**Programme Specific Outcomes**

| <b>PSO</b> | <b>PSO Description</b>  |
|------------|---|
| PSO1       | To impart knowledge about commercial and managerial aspects of business along with social and ethical issues  |
| PSO2       | To acquaint the learners about basic concepts of business communication, mathematical and statistical tools, environmental and other social issues related to commerce and management                                   |
| PSO3       | To make the learners aware about basic concepts of marketing management, production management human resource management, export marketing and financial management along with the recent trends and developments in it |
| PSO4       | To give a working knowledge in respect of cost accounting, management accounting, financial accounting, auditing and taxation   |
| PSO5       | To make the learners aware about various aspects of micro and macroeconomics and also about Indian financial system and recent development in it  |
| PSO6       | To acquaint the learners about business law, company secretarial practices and computer systems, its applications and network infrastructure  |

## **COURSE OBJECTIVES**

**Semester III/IV**

**Course Nomenclature: Business LawI and II**

**Course Code: JBCUCLAW304 / JBCUCLAW404**

- 1 To provide a conceptual study about the framework of some Indian laws related to business
- 2 To orient the learners with basic concepts like contract, special contracts, sale of goods, negotiable instruments, partnership, limited liability partnership, Intellectual Property Laws like Patents, copyright and trademark, Consumer law and Competition Act with reference to related case laws
- 3 To direct learners in understanding the legal aspects of business
- 4 To familiarize learners with practical application of law with the help of case laws
- 5 To motivate learners to pursue further education in law and extent over it as career

## **COURSE OUTCOMES**

On completion of Course learner will be able -

- 1 To explain basic concepts related to business laws
- 2 To classify principles evolved under business laws
- 3 To respond to specific cases allied to business laws
- 4 To analyze principles rooted in business laws
- 5 To convince industry legal knowledge absorbed during the course
- 6 To formulate solutions to business problems arrived in industry

# **SYLLABUS**

## **SYBCOM Semester III**

### **Title: Business Law I**

#### **Module 1 Indian Contract Act – 1872 Part –I**

**12**

- 1.1** Contract – Definition of Contract and Agreement, Essentials of Valid Contract, Classification of Contracts
- 1.2** Offer and Acceptance – Rules of valid offer and acceptance, Counter offer, standing or open offer, distinguish between offer and invitation to offer. Concept of Communication and Revocation of offer and acceptance (Ss. 3,5)
- 1.3** Capacity to Contract (Ss. 10-12) – Minor, Unsound Mind, Disqualified Persons
- 1.4** Consideration (Ss. 2 & 25) – Concept and Importance of consideration, Legal rules of Consideration, Exceptions to the Rule, ‘No Consideration No Contract (S. 25) Unlawful Consideration (S. 23)
- 1.5** Consent (Ss.13, 14-18, 39.53, 55, 66)-Agreements in which consent is not free - Coercion, Undue Influence, Misrepresentation Fraud, Mistake
- 1.6** Void Agreements (Ss. 24-30) – Concept, Void Agreements under Indian Contract Act
- 1.7** Alternate Dispute Resolution: Meaning of ADR - concept/scope and importance of ADR. Different types of ADR - meaning and advantages a. Mediation b. Conciliation c. Negotiation d. Lok Adalat e. Arbitration - meaning, importance and scope of Arbitration and Conciliation Act, 1996
- 1.8** Modes of Discharge of Contract, Remedies on breach of Contract (S.73-75)

|                 |  |           |
|-----------------|--|-----------|
| <b>Module 2</b> | <b>Special Contracts</b>   | <b>12</b> |
| <b>2.1</b>      | Law of Indemnity & Guarantee (Ss. 124-125, Ss. 126-129, 132-147) – Concept, Essential elements of Indemnity and Guarantee, Contract of Indemnity vs. Guarantee, Modes of Discharge of Surety                     |           |
| <b>2.2</b>      | Law of Bailment (Ss. 148, 152-154, 162, 172, 178, 178A, 179) – Concept, Essentials of Bailment, Kinds of Bailment, Rights and Duties of Bailor and Bailee  |           |
| <b>2.3</b>      | Law of Pledge – Concept, Essentials of valid Pledge, Lien - concept, Difference between Pledge and Lien, Rights of Pawnor & Pawnee (Ss. 173, 174, 177)   |           |
| <b>2.4</b>      | Law of Agency (Ss. 182-185, 201-209) – Concept, Modes of creation of Agency, Modes of termination of Agency, Rights & Duties of Principal and Agent  |           |
| <b>Module 3</b> | <b>The Sale of Goods Act – 1930</b>  | <b>12</b> |
| <b>3.1</b>      | Contract of Sale (S.2) – Concept, Essential elements of contract of sale, Distinction between Sale and Agreement to sell (S.4) Distinguish between Sale and Hire Purchase Agreement, Types of Goods.             |           |
| <b>3.2</b>      | Conditions & Warranties (Ss. 11-25 & 62, 63) – Concept, Distinguish between Conditions and Warranties, Implied Conditions & Warranties, Concept of Doctrine of Caveat Emptor – Exceptions                        |           |
| <b>3.3</b>      | Unpaid Seller (Ss. 45-54, 55 & 56)- Concept, Rights of an unpaid seller  |           |
| <b>Module 4</b> | <b>The Negotiable Instruments (Amended) Act 2015</b>   | <b>12</b> |
| <b>4.1</b>      | Negotiable Instruments – Concept (S13), Characteristics, Classification of Negotiable Instruments (Ss. 11, 12, 17-20, 42, 43, 104, 134, 135) Maturity of Instruments   |           |
| <b>4.2</b>      | Promissory Note and Bill of Exchange (Ss. 4, 5, 108-116)- Concept, Essentials of Promissory Note, Bill of Exchange (Ss. 4, 5), Essential features of promissory note and Bill of exchange, Kinds Promissory note |           |

and Bill of exchange, Cheque (S.6)– Concept, Types & Crossing of Cheque, Distinguish between Bill of Exchange & Cheque, Dishonor of Cheque – Concept

- 4.3** Miscellaneous Provisions (S. 8-10, 22, 99-102, 134-137) –Parties to Negotiable instruments Holder, Holder in due course, Payment in due course, Noting & Protest (99-104A)

## **REFERENCES**

- Bare Acts of all laws
- Law of Contract: Avatar Singh, Eastern Book Company.
- Business Law: N.D.Kapoor
- The Law of Contract: An Outline by Dr. Nilima Chandiramani, AvinashPublications.
- Law of Sale of Goods and Partnership: A Concise Study by Dr. Nilima Chandiramani, ShroffPublishers.
- The Sale of Goods Act: P. Ramanatha Aiyar, University Book Agency.
- The Negotiable Instruments Act: Bhashyam&Adiga, Bharat Law House.
- The Negotiable Instruments Act: Avatar Singh, Eastern Book Company

# **SYBCOM**

## **Semester IV**

### **Title: Business Law II**

#### **Module 1**

##### **Indian Companies Act – 2013 Part–I**

**Lecture  
12**

- 1.1** Company –Concept, Features, Role of Promoters (S. 2(69) S. 92), Duties and liabilities of the Promoter Effects of Pre-Incorporation contracts, Consequences of non-registration, and Lifting of Corporate Veil
- 1.2** Classification of Companies, Distinction between Private Company and Public Company, Advantages and Disadvantages of Private Company and Public Company. –Common Procedure for Incorporation of Company
- 1.3** Memorandum of Association (MOA) & Article of Association (AOA) – Concept, Clauses of MOA, AOA- Contents, Doctrine of constructive notice, Doctrine of Ultra Vires, Doctrine of Indoor Management
- 1.4** Securities - Concept, Prospectus and Private Placement– Concept and Legal provision

#### **Module 2**

##### **Indian Companies Act – 2013 Part–II and Intellectuals Property Rights**

**12**

- 2.1** Member of a Company –Concept, who can become a member, Modes of acquiring membership and cessation of membership, Right & Liabilities of Members
- 2.2** Director - Qualifications & Disqualification, Classification, Director Identification Number (DIN)
- 2.3** Meetings – Types, Legal Provisions of Statutory Meeting, Annual General Meeting, Extra-Ordinary Meeting, Board Meeting
- 2.4** Intellectual Property Right (IPR) – Concept, Nature, Introduction & background of IPR in India
- 2.5** IPR relating to Patents – Concepts of Invention and discovery, Comparison (S2 (j)), Concept of Patents, General principles applicable to working of patented inventions, Term of Patent. Infringement of Patent Rights
- 2.6** IPR relating to Copyrights- Concept of Copyright (Ss. 14, 16, 54,) Concept of author and authorised acts, (S.2) Ownership of Copy right (S.17) Duration or

term of Copyright (S. 22-27), Original work and fair use, Rights of Copyright holder, Infringement of Copyrights

- 2.7** IPR relating to Trademarks –Concept, Functions of Trade Mark, types, trademarks that can't be registered, Registration of Trade Marks and rights of the proprietor of Trade Marks. Procedure for registration of Trade Marks. Infringement of Trademarks
- 2.8** Introduction IPR related to Industrial design, Geographical indication of Goods, Biological diversity and Plant varieties and farmers rights

**Module 3 Indian Partnership Act, 1932 and Limited Liability Partnership Act, 2008 12**

- 3.1** Partnership – Concept, Essentials, True Test of Partnership, Partnership Deed, Types of Partnership, Rights and Duties of Partners
- 3.2** Dissolution – Concept, Modes of Dissolution, Consequences of Dissolution
- 3.3** Limited Liability Partnership (LLP) 2008 – Concept, Characteristics, Advantages &Disadvantages, Procedure for Incorporation
- 3.4** Extent of L.L.P.- Conversion of LLP, Mutual rights & duties of partners, winding up of LLP, Distinction between LLP and Partnership and Company

**Module 4 Consumer Protection Act, 2019 and Competition Act, 2002 12**

- 4.1** Consumer Protection Act – Concept, Objects, Reasons for enacting the Consumer Protection Act, Definition of Advertisement, Consumer, Consumer Rights, Consumer Dispute, Complaint, Complainant, Design, E- Commerce, Electronic Service Provider, Defect, Deficiency, Misleading advertisement, Product, Product Liability, Product Manufacturer, Product Seller, Product Service Provider, Spurious Goods, Unfair Contract, Unfair Trade Practices, Goods and Services
- 4.2** Central Consumer Protection Authority and Redressal Agencies – District, State & National, Concept - Product liability and Mediation
- 4.3** Competition Act 2002 – Concept, Salient Features, Objectives & Advantages
- 4.4** Abuse of Dominant Position, Competition Commission of India, Anti-Competition Agreements



## **REFERENCES**

- Bare Acts of all laws
- Guide to the Companies Act,2013 by A Ramaiya, Lexis Nexis
- Company Law by G.K.Kapoor.
- Company Law by N.D.Kapoor.
- Law and practice of Intellectual Property in India by Dr.Vikas Vashishth,Bharat Law House
- Law of Partnership along with Limited Liability Partnership by Avatar Singh,EasternBook Company
- Laws Relating to Intellectual Property, Universal Law Publishing Co. Dr.B.L.Wadhera
- Consumer Protection Law and Practice by Dr.V.K.Agarwal, Bharat Law House.
- Competition Law by Avatar Singh, Eastern Book Company
- Competition Law in India by T. Ramappa, Oxford University Press.
- Intellectual Property Rights by Narayan.
- Laws Relating to Intellectual Property, Universal Law Publishing Co.Dr. B.L.Wadhera

## Modality of Assessment

### A. Internal Assessment: 40% - 40 Marks

| Sr. No. | Evaluation Type     | Marks     |
|---------|---------------------|-----------|
| 1       | Written Test        | 20        |
| 2       | Assignment/Project  | 15        |
| 3       | Class Participation | 05        |
|         | <b>Total</b>        | <b>40</b> |

### B. External Examination: 60%- 60Marks

Semester End Theory Examination

Time: 2 hours

Q.1: Full length question on any topic from Module I 15

OR

A Short question or two case analysis of equal marks from Module I 8

B Short question from Module I 7

Q.2. Full length question on any topic from Module II 15

OR

A Short question / two case analysis of equal marks from Module II 8

B Short question from Module II 7

Q.3: Full length question on any topic from Module III 15

OR

A Short question / two case analysis of equal marks from Module III 8

B Short question from Module III 7

|   |    |
|---|----|
| Q.4: Full length question on any topic from Module IV | 15 |
|---|----|

OR

|  |   |
|--|---|
| A Short question / two case analysis of equal marks from Module IV | 8 |
|--|---|

|                                 |   |
|---------------------------------|---|
| B Short question from Module IV | 7 |
|---------------------------------|---|