

B.A.LL.B (Hons.) 5 YEARS INTEGRATED COURSE

SEMESTER-VIII

Course Code	BAL805
Course Title	Business Laws
Type of Course	Core
L T P	5 1 0
Credits	6
Course Prerequisites	12 th
Course Objectives (CO)	Business Law aims to make the students understand the various aspects of the banking, recovery of debts and competition laws. The syllabus has been drafted in a manner wherein the students shall get an insight of the realms of the banking industry and the recovery of debts. It shall also provide the students with the knowledge about the relationship between the IPR and Competition Law and the relevance International Trade Law along with the Competition Advocacy.

UNIT-I

Meaning and Characteristics of Negotiable Instrument Operational rules of Evidence – Presumptions, classification of Negotiable Instruments. Promissory Notes and Bills of Exchange (Ss. 4,5,108-116) Essential elements of Promissory Note and Bill of Exchange, distinguish between Promissory note and Bill of Exchange. Acceptor and Acceptance, definition of Acceptor, Acceptance for honour, Absolute and qualified or conditional acceptance, Drawer, Drawee in case of Need(Ss.7,115&116) Payee, Noting and Protest (Sections 99-104A) Cheques, Types of Cheque and Penalties in case of dishonour of certain cheques, distinguish between cheque and Bill of exchange, (Secs: 6,123- 131A,138-147)

UNIT –II

Recovery of Debts and Bankruptcy Act, 1993(RDB Act) Objectives of the Act, Constitution of Tribunal, Procedure to be followed, Enforcement process 185 Concept of Bankruptcy and Insolvency, Basic Objectives and Purpose of the Insolvency and Bankruptcy Code, 2016, Application of the Code (Section 2) Non- Performing Assets and Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act (SARFAESI) Constitutional Validity; Definitions; Regulation & Reconstruction; Enforcement of Security Interest; Central Registry; Offences & Penalties; Miscellaneous Provisions

UNIT –III

Basic Concepts –Constitutional aspect of Elimination of Concentration of Wealth and Distribution of Resources Article 39 (b) (c) History and Development of Competition Law- Justice-Sachar Committee, MRTP Act - Salient features and overview of Competition Law in India Anti-Competitive Agreements- Cartelization under the Competition Act, 2002 (section 3) Abuse of dominant position (section 4) Regulation of combination (Section -5) Inquiry and Procedure (Section 19, 20, 26, 27 and 29)

UNIT –IV

Enforcement Mechanisms under the Competition Act, 2002 - Competition Commission of India- Constitution of the CCI - Powers and Functions Jurisdiction of the CCI – adjudication and appeals - Director General of Investigation (DGI)– Powers and Functions of the Appellate Authority - National Company Law Appellate Tribunal (NCLAT) Competition Advocacy in India and other foreign jurisdictions, Intellectual Property Rights and Competition Law, International Trade Law and Competition Law, The Competition (Amendment) Bill, 2012

Suggested Readings:

- Maher M. Dabbah, EC and UK Competition Law: Commentary, Cases and Materials, Cambridge University Press, 2004
- Piet Jan Slot and Angus Johnston, An Introduction to Competition Law, Oxford and Portland, Oregon, 2006
- Suresh T. Vishwanathan, Law and Practice of Competition Act, Bharat
- Richard Whish, Competition Law, Oxford University Press, 2008
- Mark Furse, Competition Law of the EC and UK, 6th ed. – 2008, Oxford University Press
- S.M. Dugar, Commentary on MRTP Law, Competition Law & Consumer Protection Law, 4th ed.- 2006, Wadhwa Nagpur
- Abir Roy & Jayant Kumar, Competition Law in India, Eastern Law House, New Delhi
- P. Satyanarayana Prasad, Competition Law and Cartels, Amicus Books, ICAFI University Press, 2007
- Kristy Middleton, Barry Rodger & Angus Mac Culloch, Cases and Materials on

UK and EC Competition Law, Oxford University Press, 2003

VinodDhall (ed.), Competition Law Today, Oxford University Press, 2007

Philips E. Areeda& H. Hovenkoup, Fundamentals of Anti-Trust Law,
ASPEANPublications, 2006

T Ramappa, Competition Law in India: Policy, Issues and Developments,3rded.-
2013, Oxford University Press, New Delhi

VarunChhachhar“Competition Law and Telecom Sector in India”, 1st ed.-
2013, VLMS Publishers, New Delhi.

M.L.Tannan, revised by : Banking Law and Practice, Wadhwa& Company,
Nagpur C.R. Datta& S.K. Kataria

A.B. Srivastavaand : Seth’s Banking Law, Law Publisher’s India (P) Limited K.
Elumalai

R.K. Gupta : BANKING Law and Practice in 3 Vols. Modern Law Publications.

Prof. Clifford Gomez : Banking and Finance - Theory, Law and Practice, PHI
Learning Private Limited

J.M. Holden : The Law and Practice of Banking, Universal Law Publishing